

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, May 8, 2025 - 6:30 PM

Courthouse, Main Courtroom, 16001 Barnesville Street, Zebulon, Georgia

I. Call to Order

II. Invocation

- a. Jeremy Gilbert, Director

III. Pledge of Allegiance

- a. Jason Leatherman, Chairman

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 for March 13, 2025 PZB Meeting

VI. Unfinished Business - None

VII. New Business

Public Hearing

- a. MOD-25-01 USC Timber Holdings, LLC owner and Flat Shoals Energy Center, LLC applicant request a modification to zoning condition placed on the modified Special Exception (MOD-SE-17-03) granted on November 19, 2020, for a solar farm located on Highway 18, North Maddon Bridge Road and Nixon Road in Land Lots 166, 167, 168, 185, 186, 187, 198, 199 and 200 of the 9th District, further identified as Parcel ID 032 012. The property consists of 1,371 +/- acres and the request is to modify or remove several conditions. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for a final decision.**
- b. VAR-25-01 Mark and Linda Milam owner and Cory Dague applicant request a variance to development regulations for property located at Lot 5 Pine Vally Road Meansville, GA 30256 in Land Lot 138 of the 8th District, further identified as Parcel ID 094 004E. The property consists of 8.8 +/- acres and the request is to reduce the side yard setback from 30 feet to 12 feet for the construction of a new home, due to topography issues. Commission District 3, Commissioner Ken Pullin. **The public is invited to attend to speak in favor or in opposition of the request. The**

PZB will make the final decision.

- c. SUP-25-03 Jonathan Buxton, owner and applicant, requests a special use permit to allow a private cemetery to be located at 1201 Friendship Circle, Concord GA, 30206. The subject property is further identified as Parcel ID 027 002C and is in Land Lots 237 of the 1st District. The property consists of 16.50+/- acres. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for a final decision.**
- d. Text Amendment to Article 16, US Highway 19 & 41 Overlay District, of the Unified Development Code. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for a final decision.**

VIII. Discussion - None

IX. Adjournment

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

Invocation

SUBJECT:

Jeremy Gilbert, Director

ACTION:

ADDITIONAL DETAILS:

REVIEWERS:

| Department | Reviewer | Action | Comments |
|--------------------------|-----------------|----------|-----------------------|
| Planning and Development | Gilbert, Jeremy | Approved | Item Pushed to Agenda |

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

Pledge of Allegiance

SUBJECT:

Jason Leatherman, Chairman

ACTION:

ADDITIONAL DETAILS:

REVIEWERS:

| Department | Reviewer | Action | Comments |
|--------------------------|-----------------|----------|-----------------------|
| Planning and Development | Gilbert, Jeremy | Approved | Item Pushed to Agenda |

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

Minutes March 13, 2025

SUBJECT:

Approve Minutes for March 13, 2025 PZB Meeting

ACTION:

ADDITIONAL DETAILS:

ATTACHMENTS:

| Type | Description |
|-----------|-------------|
| ▣ Exhibit | Minutes |

REVIEWERS:

| Department | Reviewer | Action | Comments |
|--------------------------|-----------------|----------|-----------------------|
| Planning and Development | Gilbert, Jeremy | Approved | Item Pushed to Agenda |

PIKE COUNTY
Planning and Zoning Board
March 13, 2025
6:30 P.M.

MINUTES

Jason Leatherman • Brandy Loggins •
Chad Proctor • Edward “Ed” Penland • Kacie Edwards(At Large)

I. Call to Order

Board Member 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

Board Member Leatherman lead us in the Pledge of Allegiance.

IV. Approval of the Agenda

Vice-Chairman Loggins moved to approve the Agenda. Board Member Penland second the motion. The Agenda was approved by a vote of 5-0-0.

V. Approval of the February 13, 2025, Minutes.

Board Member Loggins moved to approve the Minutes. Board Member Proctor second the motion. The Minutes were approved by a vote of 5-0-0.

VI. Old Business: NONE

VII. New Business:

Public Hearing:

- (1.) SUP-25-02 – Matthew and Stephanie Gravitt, Owners and Windy Field Farms, LLC Applicant request a Special Use Permit to allow an Event Center/Wedding Venue to be located at 628 Sands Road, Molena, GA, 30258. The subject pro-**

property is further identified as Parcel ID 007 002 and is in Land Lot 257 of the 9th Land District. The property consists of 417.75+/- acres. Commission District 2, Commissioner Tim Guy. **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.**

The Planning & Development Director Jeremy Gilbert introduced the Special Use Application with his staff recommendation for approval with five (5) Zoning Conditions.

- 1. Prior to the approval of a Business License for an Event Center the existing building shall be brought up to Commercial Building Standards for Occupancy as an Event Center.**
- 2. A Building Permit shall be required for the existing building for a change of use from Residential to Commercial.**
- 3. All ADA Requirements including Parking Requirements shall be met prior to the issuance of a Business License.**
- 4. An Annual Business License, issued by Pike County shall be required for the Event Center.**
- 5. All conditions of Section 503 B 23 of the U.D.C. shall be met regarding an Event Center.**

Chairman Leatherman asked whether there was anyone to come forth and Matt Gravitt, Owner and Windy Field Farms, LLC Applicant came forth to sign in on the sign in sheet and to explain the Application.

Chairman Leatherman opened the floor up for public opinion, whether for or against for 10 minutes each.

Names of people in favor

- 1. Matt Gravitt**

Names of people who oppose

- 1. Roger Harper**

Chairman Leatherman closed the floor.

Chairman Leatherman asked the Board for any discussion and then to make a motion. There was some discussion among the Board.

Vice-Chairman Loggins moved to approve the motion with five (5) Zoning Conditions. Board Member Edwards second the motion. The motion was approved by a vote of 5-0-0. The Conditions are as following:

- 1. Prior to the approval of a Business License for an Event Center the existing building shall be brought up to Commercial Building Standards for Occupancy as an Event Center.**
- 2. A Building Permit shall be required for the existing building for a change of use from Residential to Commercial.**
- 3. All ADA Requirements including Parking Requirements shall be met prior to the issuance of a Business License.**
- 4. An Annual Business License, issued by Pike County shall be required for the Event Center.**
- 5. All conditions of Section 503 B 23 of the U.D.C. shall be met regarding an Event Center.**

VIII. Discussions: Discussion regarding Allowable/Prohibited Colors in the US Highway 19 and 41 Overlay.

The Planning & Development Director Jeremy Gilbert started the Discussion regarding Allowable/Prohibited Colors in the US Highway 19 and 41 Overlay.

Chairman Leatherman asked the Board for any discussion and then to make a motion. There was discussion among the Board.

Vice-Chairman Loggins made a motion to bring a Text Amendment back to the Planning and Zoning Board with the changes discussed in Article 16 of the U.D.C. Board Member Proctor second the motion. The motion was approved by a vote of 5-0-0.

IX. Adjournment

Board Member Proctor moved to adjourn the meeting. Board Member Edwards second the request. The motion was passed by a vote of 5-0-0.

The meeting was closed by the sound of the gavel at 7:04 pm.

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

MOD-25-01-Postponed By Applicant

SUBJECT:

MOD-25-01 USC Timber Holdings, LLC owner and Flat Shoals Energy Center, LLC applicant request a modification to zoning condition placed on the modified Special Exception (MOD-SE-17-03) granted on November 19, 2020, for a solar farm located on Highway 18, North Maddon Bridge Road and Nixon Road in Land Lots 166, 167, 168, 185, 186, 187, 198, 199 and 200 of the 9th District, further identified as Parcel ID 032 012. The property consists of 1,371 +/- acres and the request is to modify or remove several conditions. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for a final decision.**

ACTION:

ADDITIONAL DETAILS:

REVIEWERS:

| Department | Reviewer | Action | Comments |
|--------------------------|-----------------|----------|-----------------------|
| Planning and Development | Gilbert, Jeremy | Approved | Item Pushed to Agenda |

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

VAR-25-01

SUBJECT:

VAR-25-01 Mark and Linda Milam owner and Cory Dague applicant request a variance to development regulations for property located at Lot 5 Pine Vally Road Meansville, GA 30256 in Land Lot 138 of the 8th District, further identified as Parcel ID 094 004E. The property consists of 8.8 +/- acres and the request is to reduce the side yard setback from 30 feet to 12 feet for the construction of a new home, due to topography issues. Commission District 3, Commissioner Ken Pullin. **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:

| Type | Description |
|-----------|--------------|
| ▣ Exhibit | Staff Report |

REVIEWERS:

| Department | Reviewer | Action | Comments |
|--------------------------|-----------------|----------|-----------------------|
| Planning and Development | Gilbert, Jeremy | Approved | Item Pushed to Agenda |



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
Jgilbert@pikcoga.gov

"Serving Citizens Responsibly"

Case Number: VAR-25-01

Planning and Zoning Board Meeting: May 8, 2025

Mailed Notice: April 2, 2025

Owner: Mark & Linda Milam

Applicant: Cory Dague

Property Location: Lot 5 Pine Valley Road, Meansville, GA
Land lot: 138
District: 8th
Parcel ID: 094 004E

Acreage: 8.8+/- acres

Commission District: District 3, Ken Pullin

FEMA Data: Does not lie within a flood zone.

Request: The applicant is requesting a variance to development regulations. The request is to reduce the side yard setback on the north property line from 30 feet to 12 feet for the construction of a new single-family home.

Code Reference: Article 5 of the UDC

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.



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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;
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.



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Staff Analysis: The subject property is zoned A-R Agricultural-Residential, and the owner and applicant are requesting to reduce the side yard setback from 30 feet to 12 feet to allow for the construction of a new single-family home. The variance to reduce the setback is being requested due to the topography of the lot on the south side of the lot that would require a substantial amount of work, and the removal of some very large oak trees should they have to move the proposed location of the new home. The owner provided a letter for the adjacent property owner that the encroachment in the setback would impact the most and that neighbor has no objection to the setback being reduced.

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;***

There are conditions regarding the size, shape, location or topography of the parcel that could warrant this variance. There are topography issues to the south of the proposed location of the new home that cause a hardship on meeting the required setback on the northern property line.

- 2. Application of this ordinance to the particular parcel would create a practical difficulty or unnecessary hardship on the property owner;***

Application of the ordinance could cause a hardship to the applicant as it relates to increased cost of development to fix the topography issues on the lot..

- 3. Such conditions are peculiar and unique to the particular parcel;***

These conditions are unique to this property.



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4. *The variance, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this ordinance;*

If approved the variance should not cause any detriment to the public good or impair the 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;*

A literal interpretation of this ordinance would not deprive the applicant of any rights that other properties 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;*

The only relief this variance would provide is financial relief to the cost of fixing the topography issues on the south side of the lot and the removal of large existing trees.

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*

If granted, conditions could be placed on the property to help offset any potential effects.



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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.*

Granting this variance would not be based on any other parcels or uses on nearby properties. It is only being evaluated based on the condition of the parcels ability to be developed in compliance with the UDC setback requirements and the topography of the lot.

Recommendation:

Staff recommends **APPROVAL** of the variance request to reduce the setback from 30 feet to 12 feet on the north property line for the construction of the proposed single-family home only.

Attachments:

- Application
- Tax Map
- Letter from Neighbor
- Plat
- Site Plan
- Legal Ad

RECEIVED
3/25/25

PIKE COUNTY
PLANNING AND ZONING BOARD

Application # VAR-2501
Permit # 193

Planning and Zoning Board Public Hearing Date: 5/8/25 @ 6:30pm
Board of Commissioners Public Hearing Date: 5-11-25

☐ Special Use Permit ☒ Variance

Property Information: District(s): 8 Land Lot(s): 138 Acres: 8.8

Tax Map Parcel #: 094-004E Address if assigned: Pine Valley Road Meansville, Ga 30256

Description of Request: Side set back variance of 18' on the right side.
The left side of the lot falls off dramatically and would
have to take down a very large oak tree as well, if
variance is not granted

Code Reference(s): _____ Present Zoning: A-R

Documentation Required: ☒ Copy of Recorded Plat ☒ Copy of Recorded Deed

☒ Letter of Explanation ☒ Health Department Letter of Approval ☒ Sketch or site plan (preferable)

☐ Agent Authorization (if needed) ☒ Campaign Disclosure Form ☐ Other _____

Property Owner: Mark + Linda Milam Applicant: Cory Dague

Address: 330 James Moore Circle Address: 50 Hickory Court

City: Jackson State: GA Zip: 30233 City: Williamson State: GA Zip: 30292

Phone/email: 404 217-8188 Phone/email: 770 362-9868 cory@daguenec.com

mmilam@impactofficeinteriors.com
Property Owner Authorization: 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 Planning and Zoning Board and Board of Commissioners to inspect the property which is the subject of this application.

Owner's Signature: [Signature] Date: 3-24-25

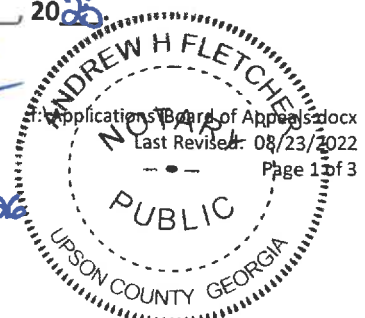
Owner's Printed Name: Mark Milam

Sworn to and subscribed before me this 24th day of March, 2025.

Notary Public (signature & seal): Andrew H. Fletcher

UC # 11300 R # 185

comm exp. 2/28/2026





Overview



Legend

-  Parcels
-  Address Numbers
-  Roads

Parcel ID 094 004 E
Class Code Residential
Taxing District UNINCORPORATED
Acres 8.81

Owner FARROW TREVOR
 9444 HWY 18 W
 CONCORD, GA 30206
Physical Address PINE VALLEY RD
Assessed Value Value \$79290

| Last 2 Sales | | | |
|--------------|---------|--------|------|
| Date | Price | Reason | Qual |
| 3/3/2023 | \$82000 | LM | Q |
| 3/28/2022 | \$69000 | CT | U |

(Note: Not to be used on legal documents)

Date created: 3/25/2025
 Last Data Uploaded: 3/25/2025 6:03:15 AM

Developed by  **SCHNEIDER**
 GEOSPATIAL

March 21, 2025

Pike County Planning and Development
77 Jackson Street
Zebulon, GA 30295

RE: Proposed Variance

To whom it may concern:

We are aware of the zoning variance requested by Mark and Linda Milam for their new home, which is to be located at Lot 5, Pine Valley Road, Meansville, GA 30256. We have visited the site and have seen the proposed location as it relates to our property next door. We are in complete support of the variance requested and see no reason for it not to be granted.

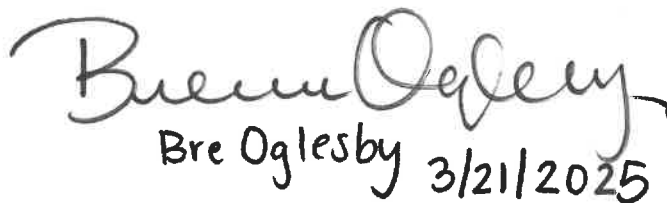
We understand that this structure is to be built 18ft inside of the 30ft setback encroaching on our property. The placement does not affect our property in any way and makes sense to be located in this spot.

Please feel free to reach out if you have any questions or need verification of this endorsement. We look forward to another quality home to be constructed in our community.

Sincerely,



Wade & Bre Oglesby
996 Pine Valley Road
Meansville, GA 30256



Bre Oglesby 3/21/2025

Sam Steyer

SURVEYOR'S CERTIFICATION

As indicated by subdivision (b) of O.C.G.A. Section 15-2-47, the plat has been prepared by a land surveyor and approved by the appropriate authorities. The surveyor certifies that the plat is a true and correct representation of the land surveyed and that the same conforms with the applicable provisions of the Georgia Surveying and Mapping Act of 1994, as amended, and the rules and regulations of the Georgia Board of Registration for Professional Surveyors and Land Surveyors and the Georgia Code of Official Code of Georgia Annotated (O.C.G.A.) Section 15-2-47.

James W. Eason, Jr.
Georgia Registered Land Surveyor #3178

SURVEYOR'S CERTIFICATION (COUNTY)

I, the undersigned, certify that this plat is a true and correct representation of the land surveyed and that the same conforms with the applicable provisions of the Georgia Surveying and Mapping Act of 1994, as amended, and the rules and regulations of the Georgia Board of Registration for Professional Surveyors and Land Surveyors and the Georgia Code of Official Code of Georgia Annotated (O.C.G.A.) Section 15-2-47.

James W. Eason, Jr.
Georgia Registered Land Surveyor #3178

OWNER'S CERTIFICATION

The owner of this land, County of Pike, State of Georgia, certifies that the plat is a true and correct representation of the land surveyed and that the same conforms with the applicable provisions of the Georgia Surveying and Mapping Act of 1994, as amended, and the rules and regulations of the Georgia Board of Registration for Professional Surveyors and Land Surveyors and the Georgia Code of Official Code of Georgia Annotated (O.C.G.A.) Section 15-2-47.

Owner: *William Hill*
Date: *6/21/20*

CERTIFICATE OF DEDICATION

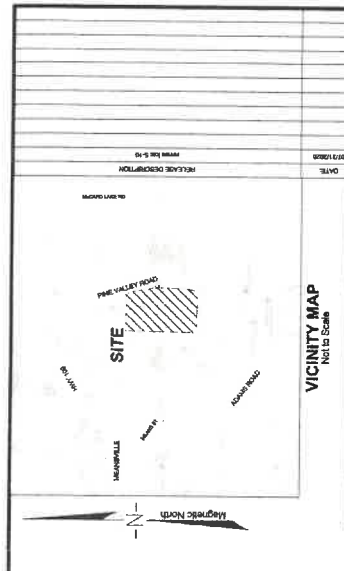
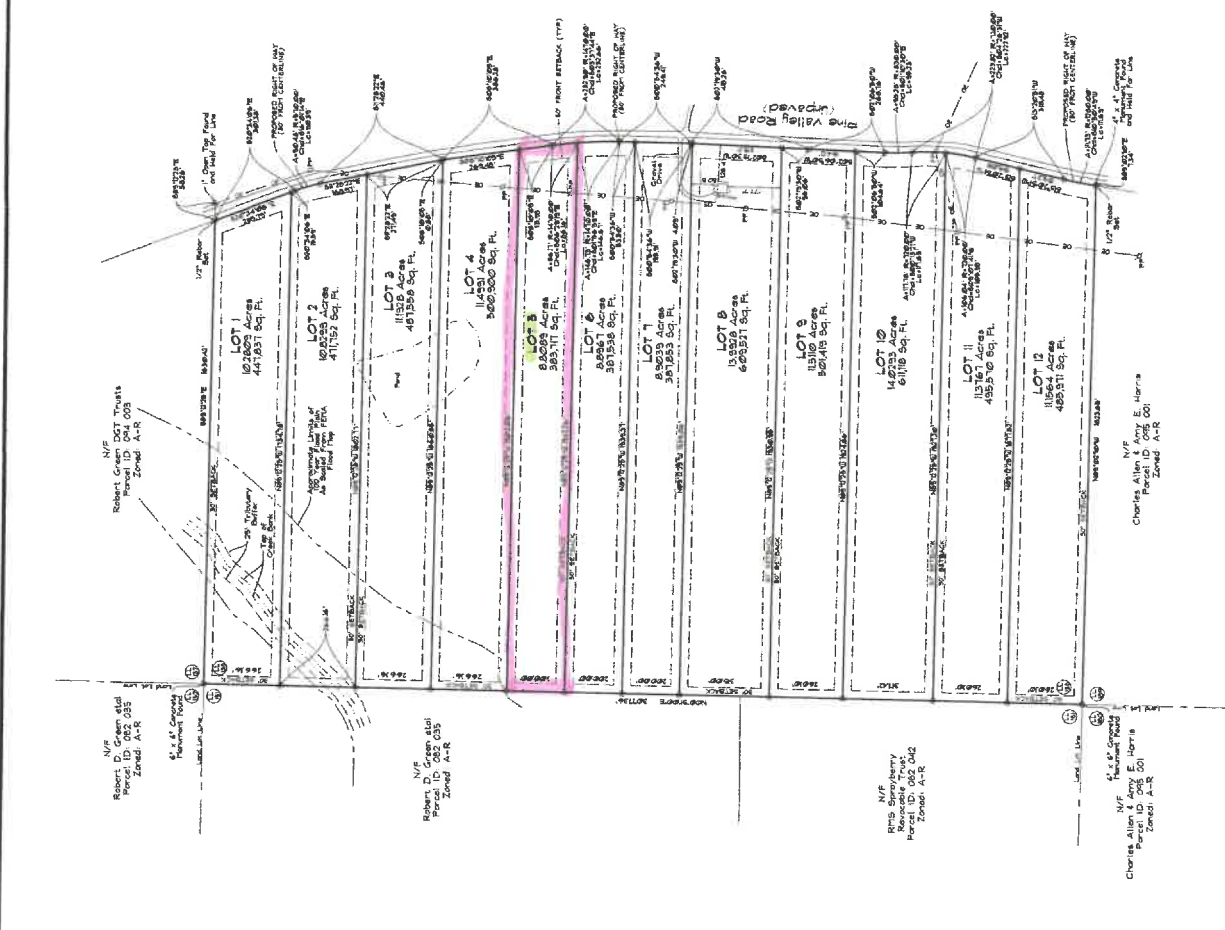
State of Georgia, County of Pike
The owner of this land, County of Pike, State of Georgia, certifies that the plat is a true and correct representation of the land surveyed and that the same conforms with the applicable provisions of the Georgia Surveying and Mapping Act of 1994, as amended, and the rules and regulations of the Georgia Board of Registration for Professional Surveyors and Land Surveyors and the Georgia Code of Official Code of Georgia Annotated (O.C.G.A.) Section 15-2-47.

Owner: *William Hill*
Date: *6/21/20*

CERTIFICATES OF APPROVAL

Pursuant to the Pike County Subdivision Regulations, all the requirements for approval have been fulfilled. The Final Plat was given final approval by the Pike County Board of Commissioners on *6/21/20*.

Date: *6/21/20* Secretary: *[Signature]* Chairman: *[Signature]*



LEGEND

1. Right-of-Way
2. Easement
3. Survey Boundary
4. Survey Boundary Extension
5. Survey Boundary Extension
6. Survey Boundary Extension
7. Survey Boundary Extension
8. Survey Boundary Extension
9. Survey Boundary Extension
10. Survey Boundary Extension
11. Survey Boundary Extension
12. Survey Boundary Extension

SURVEY NOTES

The field data upon which this survey is based has a closure precision of one foot in 10,000 feet. The survey was conducted using the following equipment and methods:

1. Total Station
2. GPS
3. Surveying Tape
4. Surveying Level
5. Surveying Rods
6. Surveying Tripods
7. Surveying Sights
8. Surveying Targets
9. Surveying Prisms
10. Surveying Flags
11. Surveying Chalk
12. Surveying Paint

SUBJECT PROPERTY

Owner: Chief Proctor
Property Address: Pine Valley Road, Marietta, GA 30066
Parcel ID: 004 004
Zone: A-R
Area: 13.4794 Acres (5,773,798 Sq. Ft.)
Road Zone: Zone A
Reference: Plat Book 2, Page 25
Deed Book 102, Page 9

SUBMISSION INFORMATION

Owner: Chief Proctor
Address: 2085 Turner Road, Marietta, GA 30066
Zone: A-R
Minimum Floor Area Per Dwelling Unit: 1,100 Square Feet
Minimum Lot Width: 200
Minimum Lot Depth: 100
Minimum Lot Area: 10,000 Square Feet
Total Number of Lots: 12
Estimated Density: 120 Dens Per Acre

GENERAL NOTES

1. Surveyary Survey prepared by surveyor, Inc. dated July 16, 2020.
2. Right-of-Way shown on this plat is for the Pine Valley Road.
3. The survey was conducted using the following equipment and methods:
4. The survey was conducted using the following equipment and methods:
5. The survey was conducted using the following equipment and methods:
6. The survey was conducted using the following equipment and methods:
7. The survey was conducted using the following equipment and methods:
8. The survey was conducted using the following equipment and methods:
9. The survey was conducted using the following equipment and methods:
10. The survey was conducted using the following equipment and methods:
11. The survey was conducted using the following equipment and methods:
12. The survey was conducted using the following equipment and methods:

FINAL PLAT

Date: 21 July 2020
Land Lot: 136
Land District: 8th
City: (unincorporated)
County: Pike
State: Georgia
Case Project Number: 2020.010

**PIKE COUNTY PLANNING
AND ZONING BOARD
May 8, 2025 • 6:30 p.m.**

The Pike County Planning and Zoning Board will conduct its scheduled monthly meeting on May 8, 2025, 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-25-01 Mark and Linda Milam owner and Cory Dague applicant request a variance to development regulations for property located at Lot 5 Pine Vally Road Meansville, GA 30256 in Land Lot 138 of the 8th District, further identified as Parcel ID 094 004E. The property consists of 8.8 +/- acres and the request is to reduce the side yard setback from 30 feet to 12 feet for the construction of a new home, due to topography issues. Commission District 3, Commissioner Ken Pullin. The public is invited to attend to speak in favor or in opposition of the request. **The PZB will make the final decision.**

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

SUP-25-03

SUBJECT:

SUP-25-03 Jonathan Buxton, owner and applicant, requests a special use permit to allow a private cemetery to be located at 1201 Friendship Circle, Concord GA, 30206. The subject property is further identified as Parcel ID 027 002C and is in Land Lots 237 of the 1st District. The property consists of 16.50+/- acres. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for a final decision.**

ACTION:

ADDITIONAL DETAILS:

ATTACHMENTS:

| Type | Description |
|-----------|--------------|
| ▣ Exhibit | Staff Report |

REVIEWERS:

| Department | Reviewer | Action | Comments |
|--------------------------|-----------------|----------|-----------------------|
| Planning and Development | Gilbert, Jeremy | Approved | Item Pushed to Agenda |



PLANNING AND DEVELOPMENT
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"Serving Citizens Responsibly"

Case Number: SUP-25-03

Planning and Zoning Board Meeting: May 8, 2025

Board of Commissioners Meeting: May 27, 2025

Mailed Notices: April 17, 2025

Sign Posted: April 17, 2025

Owner/Applicant: Jonathon Buxton

Property Location: 1201 Friendship Cir, Concord, GA 30206
Land lot: 237
District: 1st
Parcel ID: 027 002C

Acreage: 16.5+/- acres

Commission District: District 2, Tim Guy

FEMA Data: Does not lie within a flood zone.

Request: The owner/applicant is requesting a special use permit to allow for a private cemetery to be located in the A-R zoning district.

Code Reference: Article 5, Agricultural-Residential, Chapter 165 Cemetery and Burial Regulations

Staff Analysis: The applicant is requesting a special use permit to allow a private cemetery to be located on their property in accordance with Chapter 165 of the Pike County Ordinance. The proposed size of the private cemetery will be 30 feet by 20 feet or 600 square feet. The applicant has submitted a survey showing the proposed location of the private cemetery and has added the notes required in the code for cemeteries to the survey. Below are the requirements for a private cemetery as outlined in Section 165.07 of the Pike County Code.



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
jgilbert@pikecoga.com

“Serving Citizens Responsibly”

§ 165.07 PRIVATE CEMETERIES FOR HUMAN INTERMENT

Private cemeteries, by definition, are not intended for general public use, being restricted to relatives and other close associations of a particular family or families. Private cemeteries may exist as one or two options:

(A) Option 1:

Private cemeteries located on a parcel with an existing residential and / or agricultural principal use(s) must be recorded as a deed restriction and a plat revision (where a plat exists), accompanied by a map exhibit showing the exact location of the private cemetery on the property and establishing deeded access from a public road. Private cemeteries sharing such parcels must also be clearly delineated by a fence or low wall, in accordance with Chapter 164 of the Zoning Code. The parent tract of these particular private cemeteries must be a minimum of 5 acres in size and cannot be subdivided. The private cemetery shall not comprise more than 5 percent of the total area of the parent tract. There shall be no principal building in the private cemetery area.

(B) Option 2:

Private cemeteries located on separate parcels subdivided from larger parcels must be recorded on a deed and plat in Pike County Superior Court and the actual cemetery area must be labeled on the plat as a private cemetery. The subdivided parcel must be a minimum of 3 acres.

It is the responsibility of the property owner to govern necessary processes for the private cemetery, such as interments, services, maintenance, and record keeping, subject to the other requirements of this Chapter. The establishment of a legal organization to govern these processes for a private cemetery is encouraged but not required. A death certificate must be filed for those deceased intended for burial in a private cemetery. (Ord. Passed 03-09-11)

The applicant is proposing to use option 1 listed above for the proposed private cemetery and based on their proposal, will meet all of the requirements listed above if the special use permit is approved.



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(G) The Planning and Zoning Board will consider the following points in arriving at a decision on a special use permit:

(1) It must not be contrary to the purposes of these regulations.

The requested special use permit is not contrary to the purposes of this code as the UDC allows private cemeteries as a permitted use with an approved special use permit in the A-R district.

(2) It must not be detrimental to the use or development of adjacent properties or to the general neighborhood and it must not adversely affect the health, safety or welfare of the residents or workers.

The proposed use should not be detrimental to the use or development of the adjacent properties or the general public, nor should it affect the health, safety or the welfare of the residents or workers.

(3) It must not constitute a nuisance or hazard because of the number of people who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity.

The proposed use should not create a nuisance or a hazard to the surrounding area as the proposed private cemetery is only 600 square feet in area.

(4) It must not adversely affect existing uses, and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use.

The proposed use should not adversely affect any existing uses in the area and the site is of sufficient size to satisfy the space requirements for this use.

(5) It must meet all other requirements of these regulations.

All other requirements will be met.



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- (6) In addition, the Planning and Zoning Board shall also consider whether the applicant for the special exception at the time of submitting the application is in violation of the Zoning Code or any other provision of Code of Pike County, Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia, then the Board of Appeals shall further consider the circumstances related to such violation(s) as part of the criteria for considering the requested special exception.

The property is not currently in violation of any ordinances that we are aware of.

Recommendation:

Staff recommends **APPROVAL** of this special use permit with the following conditions:

1. The proposed survey illustrating the private cemetery shall be recorded as required by Chapter 165 of the Pike County Code meeting all of the standards outlined in said section.
2. A fence or wall shall be installed around the private cemetery as required by Chapter 165.

Attachments:

- Application
- Letter of Intent
- Tax Map
- Chapter 165
- Plat
- Cemetery Plat
- Legal Ad
- Sign Photo

fee \$582.50

**PIKE COUNTY
PLANNING AND ZONING BOARD**

Application # SUP-25-03
Permit # 195

Planning and Zoning Board Public Hearing Date: 5/18/25 @ 6:30p
Board of Commissioners Public Hearing Date: 5/27/25 @ 6:30p

☒ Special Use Permit ☐ Variance

CK# 566

Property Information: District(s): 1 Land Lot(s): 237# Acres: 16.5
Tax Map Parcel #: 027 002C Address if assigned: 1201 Friendship Cir, Concord 30206

Description of Request: Private cemetery 20 feet x 30 feet for burial of immediate family members.

Code Reference(s): Chapter 165 Pike County Ordinances Present Zoning: A-R

Documentation Required: ☒ Copy of Recorded Plat ☒ Copy of Recorded Deed

☒ Letter of Explanation ☐ Health Department Letter of Approval ☒ Sketch or site plan (preferable)

☐ Agent Authorization (if needed) ☐ Campaign Disclosure Form ☒ Other marriage license

Property Owner: Sonathon Buxton Applicant: Sonathon Buxton
Address: 1201 Friendship Cir Address: 1201 Friendship Cir

City: Concord State: GA Zip: 30206 City: Concord State: GA Zip: 30206
850-382-1007 850-382-1007
Phone/email: Sonathon.Buxton@gmail.com Phone/email: Sonathon.Buxton@gmail.com

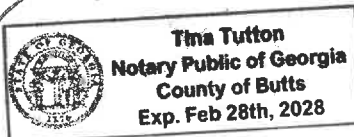
Property Owner Authorization: I declare to the best of my knowledge the information given on this application to be true, correct and accurate. I hereby authorize the staff of the Department of Planning and Development, members of the Planning and Zoning Board and Board of Commissioners to inspect the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

Owner's Signature: [Signature] Date: 7/31/2021

Owner's Printed Name: Sonathon Buxton

Sworn to and subscribed before me this 31st day of July, 2021.

Notary Public (signature & seal): [Signature]



Subject: Zoning Exception Request for Private Cemetery

To whom it may concern,

I am requesting a zoning exception for the establishment of a private cemetery on my property located in Pike county near Concord and Hollonville. The proposed cemetery will serve as a final resting place for family members and will adhere to all relevant regulations and guidelines.

Details:

- **Location:** The cemetery is proposed on the property located at 1201 Friendship Cir, Concord, GA. 302026 and is proposed to be located approximately 65 feet from an access road and 75 or more feet from the county road (dirt road with local traffic only). The cemetery is proposed to be bordered with a small fence with natural trees and shrubs providing a buffer so that it is seen only by those who enter the property. Please see the following screenshots with the approximate location of the proposed cemetery.
- **Purpose:** The cemetery will be exclusively for family use and will not be open to the public.
- **Size:** 20 Feet deep by 30 feet wide
- **Maintenance:** I commit to maintaining the cemetery in accordance with the requirements Chapter 165 of Pike County ordinances.

I kindly request your consideration and approval for this zoning exception. Please let me know if any additional information is required.

Thank you for your attention to this matter.

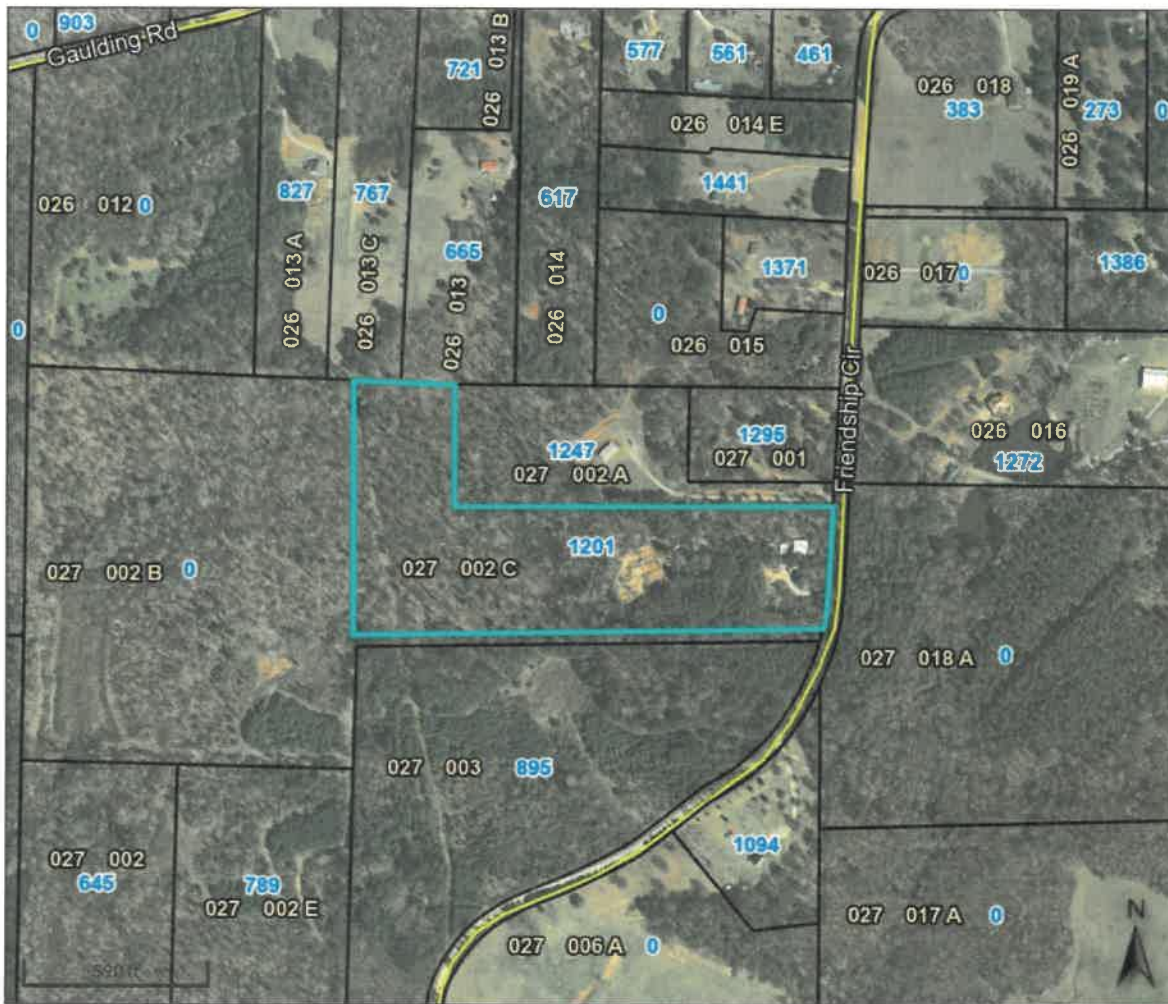
Sincerely,



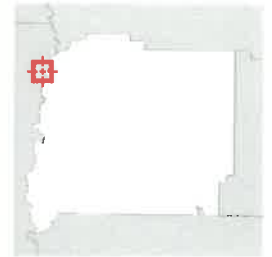
Jonathon Buxton



Kimberly Buxton



Overview



Legend

-  Parcels
-  Address Numbers
-  Roads

| | | | | | | |
|------------------------|----------------|-------------------------|--|-------------|--------------|--------------------|
| Parcel ID | 027 002 C | Owner | BUXTON JONATHON S & SELLERS KIMBERLY L | | | |
| Class Code | Consrv Use | | P O BOX 281 | | | |
| Taxing District | UNINCORPORATED | | CONCORD, GA 30206 | | | |
| Acres | 16.5 | Physical Address | 1201 FRIENDSHIP CHURCH RD | | | |
| | | Assessed Value | Value \$407878 | | | |
| | | Last 2 Sales | | Date | Price | Reason Qual |
| | | | | 3/12/2015 | 0 | CU U |
| | | | | 7/29/2011 | \$34900 | FM Q |

(Note: Not to be used on legal documents)

Date created: 3/26/2025

Last Data Uploaded: 3/26/2025 6:12:27 AM

Developed by  **SCHNEIDER**
GEOSPATIAL

TITLE XV: LAND USAGE

Chapter 165

Cemetery and Burial Regulations

CHAPTER 165: CEMETERY AND BURIAL REGULATIONS

Section

- 165.01 Purpose and Intent
- 165.02 Applicability of Regulations
- 165.03 Pre-Existing Cemeteries
- 165.04 Definitions
- 165.05 General Restrictions
- 165.06 Public Cemeteries for Human Interment
- 165.07 Private Cemeteries for Human Interment
- 165.08 Pet Cemeteries
- 165.09 Enforcement and Penalty
- 165.10 Severability
- 165.11 Effective Date

§ 165.01 PURPOSE AND INTENT

Given the lack of comprehensive regulations concerning burial practices in the state of Georgia, it is the purpose and intent of this Chapter to allow individuals and organizations the opportunity to responsibly locate cemeteries on certain properties within unincorporated Pike County, without unnecessarily restricting the observance of individual traditions, ethical practices, and / or religious beliefs. Further, it is the intent of this ordinance to prohibit human cemeteries, both public and private, and public pet cemeteries, except as may be allowed in accordance with Sections 165.02, 165.03 and 165.05 of this Chapter, and Chapter 163.

(Ord. Passed 03-09-11)

§ 165.02 APPLICABILITY OF REGULATIONS

Cemeteries for human interment, both public and private, and public pet cemeteries shall only be permitted with an approved special exception, except as may be limited or prohibited by private covenants (e.g. subdivision covenants). In A-R (Agricultural-Residential) zoning districts, only private cemeteries and not-for-profit public cemeteries are allowed. All other types of public cemeteries are allowed only in C-2 zoning districts. Cemeteries shall be subject to the general restrictions in Section 165.05 of this Chapter, as well as the more specific restrictions of Sections 165.06, 165.07, and 165.08, as they may be relevant.

(Ord. Passed 03-09-11)

§ 165.03 PRE-EXISTING CEMETERIES

All types of cemeteries already established on properties within unincorporated Pike County as of the date of the adoption of this Ordinance shall be exempt from the requirements of this Chapter. A special exception shall be required, however, for existing cemeteries that attempt to increase the size of their current legal boundary and for existing cemeteries, funeral homes, and other organizations seeking to establish other services related to the disposition of the deceased, including, but not limited to, crematoriums and columbariums.

(Ord. Passed 03-09-11)

§ 165.04 DEFINITIONS

As established in Section 156.006 of the Zoning Code, the following definitions shall apply:

(A) CEMETERY.

Land either already reserved for burial plots for human deceased or which may in the future be so reserved; it may be maintained either by a family, a church or other place of worship, or a private corporation.

(B) PUBLIC CEMETERIES.

Usually associated with a church, funeral home, municipality, or other similar entity. They are open to the general public for burials.

(C) PRIVATE CEMETERIES.

Restricted to relatives and other associations of a particular family or families, and may be located on private residential or agricultural property.

(D) CEMETERY, PET.

A cemetery devoted exclusively to the interment of pets.

(Ord. Passed 03-09-11)

§ 165.05 GENERAL RESTRICTIONS

(A) All applicable state codes concerning interments, embalming, cremation, etc. shall govern.

(B) Disinterments (exhumations) and re-interments shall be subject to established state laws and procedures concerning such actions.

(C) All cremations, disinterments, and re-interments shall first file a "Permit for the Disposition of Human Remains" at Pike County Probate Court.

(D) "Green burials" or "natural burials" (i.e. without embalming practices, leak proof containers, and vaults) shall be allowed, provided that the deceased is interred in a timely manner, and in area already legally designated as a cemetery. Although there are no Georgia laws governing the depth of burial for green burials, a minimum burial depth of 3 feet is recommended.

(E) There shall be a minimum 25-foot planted buffer along the perimeter of all public, for profit cemeteries. For other cemetery types, buffers along adjacent parcels may be required per the discretion of the Pike County Board of Appeals, as a condition of special exception approval.

(F) Cemeteries shall not be located within any easements, and burial plots within cemeteries shall be located a minimum of 10 feet from any easement boundary.

(G) Burial plots within cemeteries shall be located a minimum of 25 feet away from any state waters.

(H) Burial plots within cemeteries shall be located a minimum of 50 feet away from any property line.

(I) Public cemeteries must provide adequate vehicular access and parking within their borders to prevent intrusion onto adjacent parcels, as well as preventing parking on road rights-of-way, shoulders, and paving during interments and services.

(J) Cemeteries are prohibited in floodplain areas.

(Ord. Passed 03-09-11)

§ 165.06 PUBLIC CEMETERIES FOR HUMAN INTERMENT

- (A) Public cemeteries shall only be located on parcels not less than 3 acres. Public cemeteries shall be the only principal use on the parcel of land upon which they are located, with the exception of public cemeteries located in yards adjacent to funeral homes, or the yards of a church, synagogue, chapel, or other place of religious worship. No other principal use, commercial, industrial, or otherwise, shall be allowed on the same parcel upon which a public cemetery is to be located.
- (B) The parcel on which the public cemetery is so located must be recorded on a deed and plat in Pike County Superior Court and the actual cemetery area must be labeled on the plat as a public cemetery. Public cemeteries must establish a legal organization to govern interments, maintenance, funeral services, etc. on their respective parcels, and must maintain accurate records of all interments and burial plot layouts.
- (Ord. Passed 03-09-11)

§ 165.07 PRIVATE CEMETERIES FOR HUMAN INTERMENT

Private cemeteries, by definition, are not intended for general public use, being restricted to relatives and other close associations of a particular family or families. Private cemeteries may exist as one or two options:

(A) Option 1:

Private cemeteries located on a parcel with an existing residential and / or agricultural principal use(s) must be recorded as a deed restriction and a plat revision (where a plat exists), accompanied by a map exhibit showing the exact location of the private cemetery on the property and establishing deeded access from a public road. Private cemeteries sharing such parcels must also be clearly delineated by a fence or low wall, in accordance with Chapter 164 of the Zoning Code. The parent tract of these particular private cemeteries must be a minimum of 5 acres in size and cannot be subdivided. The private cemetery shall not comprise more than 5 percent of the total area of the parent tract. There shall be no principal building in the private cemetery area.

(B) Option 2:

Private cemeteries located on separate parcels subdivided from larger parcels must be recorded on a deed and plat in Pike County Superior Court and the actual cemetery area must be labeled on the plat as a private cemetery. The subdivided parcel must be a minimum of 3 acres.

It is the responsibility of the property owner to govern necessary processes for the private cemetery, such as interments, services, maintenance, and record keeping, subject to the other requirements of this Chapter. The establishment of a legal organization to govern these processes for a private cemetery is encouraged, but not required. A death certificate must be filed for those deceased intended for burial in a private cemetery.

(Ord. Passed 03-09-11)

§ 165.08 PET CEMETERIES

- (A) This Section regulates pet cemeteries for use by the general public only. The burial of pets and livestock on private property shall not be regulated by Pike County, provided that the deceased pets and /or livestock are actually owned by the property owner. All applicable state codes concerning the disposal of deceased livestock shall govern.
- (B) Pet cemeteries shall be for the interment and disposition of non-human remains only, shall be located on a parcel not less than 3 acres, and shall be the only principal use on that parcel.
- (C) The parcel on which the pet cemetery is so located must be recorded on a deed and plat in Pike County Superior Court and the actual cemetery area must be labeled on the plat as a pet cemetery. Pet cemeteries must establish a legal organization to govern interments and maintenance on their respective parcels, and must maintain accurate records of all burial plot layouts.

(Ord. Passed 03-09-11)

§ 165.09 ENFORCEMENT AND PENALTY

Any person in violation of this article shall be subject to a citation in Pike County Magistrate Court, and , upon conviction, be subject to a fine up to \$500.00 (and the correction of the violation) for each occasion on which a violation occurs.

(Ord. Passed 03-09-11)

§ 165.10 SEVERABILITY

Any portion of this ordinance that may be deemed void, invalid or otherwise unconstitutional and/or illegal shall be severed from the ordinance without invalidating the remaining provisions of this ordinance.

(Ord. Passed 03-09-11)

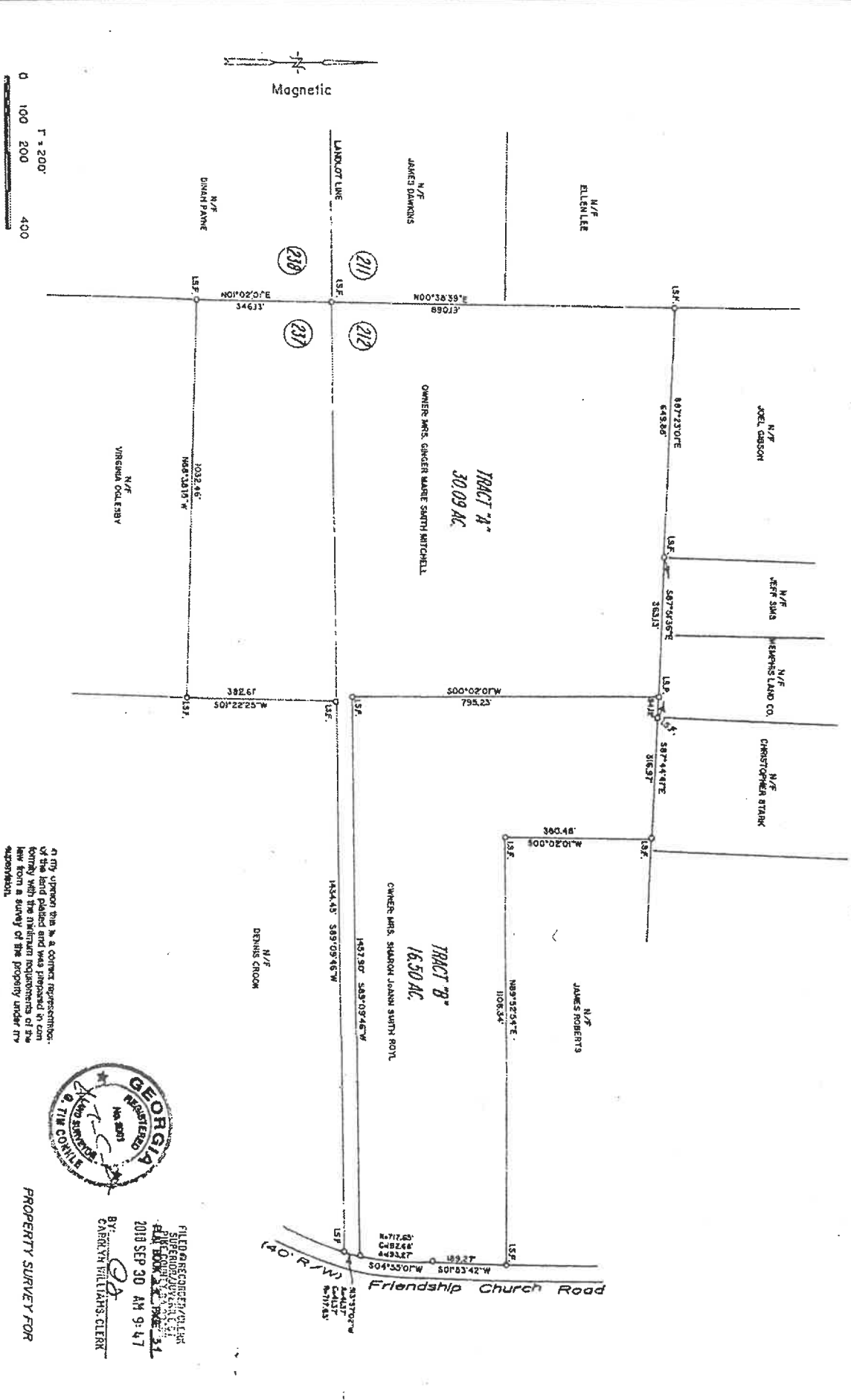
§ 165.11 EFFECTIVE DATE

This ordinance shall become effective upon the second reading of the proposed ordinance and upon the affirmative vote of at least 3 commissioners.

(Ord. Passed 03-09-11)

conkle-lane & associates
 planning consultants-land surveyors
 griffin, georgia
 p.o. box 845
 770-228-8400

APPROVED FOR RECORDATION
 D. AL ZONING OFFICIAL DATE 4/13/10
 PIKE COUNTY, GEORGIA



I, my wife, and I, a correct representation of the land parcel and was prepared in conformity with the minimum requirements of the law from a survey of the property under the supervision.

By: *Sharon Joann Smith Royl*
 Sharon Joann Smith Royl
 Co. Prop. Land Surveyor N. 200'

PROPERTY SURVEY FOR

SHARON JOANN SMITH ROYL
 AND
 GINGER MARIE SMITH MITCHELL

LOCATED IN LAND LOTS 212 & 237
 OF THE 1ST LAND DISTRICT
 PIKE COUNTY, GEORGIA
 SCALE: 1" = 200' - DATE: AUG. 31, 2010

Linear measurement made with EDM.
 angular measurement made with 10"
 theodolite having 700' error of 1.0"
 over 1000' span, no adjustment made
 Error of closure 1/20,000

GENERAL NOTES

1. SURVEY AS SPECIALLY SHOWN OR STATED TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY OR EASEMENTS THAT CAN BE ACCURATELY LOCATED AND SHOWN ON THIS SURVEY (TITLE REPORT) BUILDING SETBACKS, RESTRICTIVE COVENANTS, ZONING CONDITIONS (LOCAL ORDINANCES) AND EASEMENTS.
2. SURVEY AS MAY BE EXPRESSLY INDICATED ON THIS PLAT, LOCATIONS OF ENVIRONMENTAL, GEOLOGIC, AND INDESTRUCTIBLE FEATURES AND LOCATIONS OF EASEMENTS AND SETBACKS. THEY MAY RELATE TO BUFFERS AND SETBACKS BEYOND THE SCOPE OF THIS PLAT.
3. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR.
4. THIS SURVEY IS SUBJECT TO ALL EASEMENTS AND EASEMENTS OF RECORD BOTH WRITTEN AND UNWRITTEN.
5. SURVEY REFERENCE: PG 20 PG 34.
6. THIS PROPERTY IS NOT ON THE COUNTY WATER SYSTEM.
7. THIS PROPERTY IS NOT ON A PAVED COUNTY RIGHT-OF-WAY.
8. THIS PROPERTY IS NOT PART OF A NAMED, PLATTED SUBDIVISION.

EXISTING A-R ZONING:

FRONT YARD SETBACK: 100' FROM R/W (UNLESS NOTED OTHERWISE)
 REAR YARD SETBACK: 80 Feet
 SIDE YARD SETBACK: 80 Feet
 MIN. LOT AREA - 5,000 ACRES
 MIN. LOT WIDTH - 200 Feet
 MIN. STREET FRONTAGE - 40 Feet

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by the State Board of Registration for Professional Engineers and Land Surveyors. The surveyor certifies that the survey was made in accordance with the standards and practices of the profession and that the plat is a true and correct representation of the land surveyed. The surveyor also certifies that the plat complies with the minimum technical standards for property surveys as set forth in O.C.G.A. Section 15-6-67.

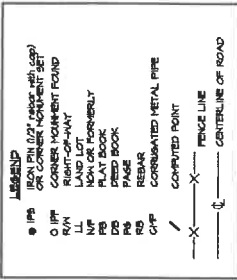
By: JOHN RANDALL DAVIS, P.E., P.L.S. 55446 DATE: _____

FOR THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE 10A-5-01, THE TERM "SURVEYOR" SHALL MEAN A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR WHO IS A MEMBER OF THE PROFESSIONAL SOCIETY OF SURVEYORS AND ENGINEERS OF THE STATE OF GEORGIA. A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR WHO IS NOT A MEMBER OF THE PROFESSIONAL SOCIETY OF SURVEYORS AND ENGINEERS OF THE STATE OF GEORGIA SHALL NOT BE PERMITTED TO SIGN A SURVEY PLAT OR MAP.

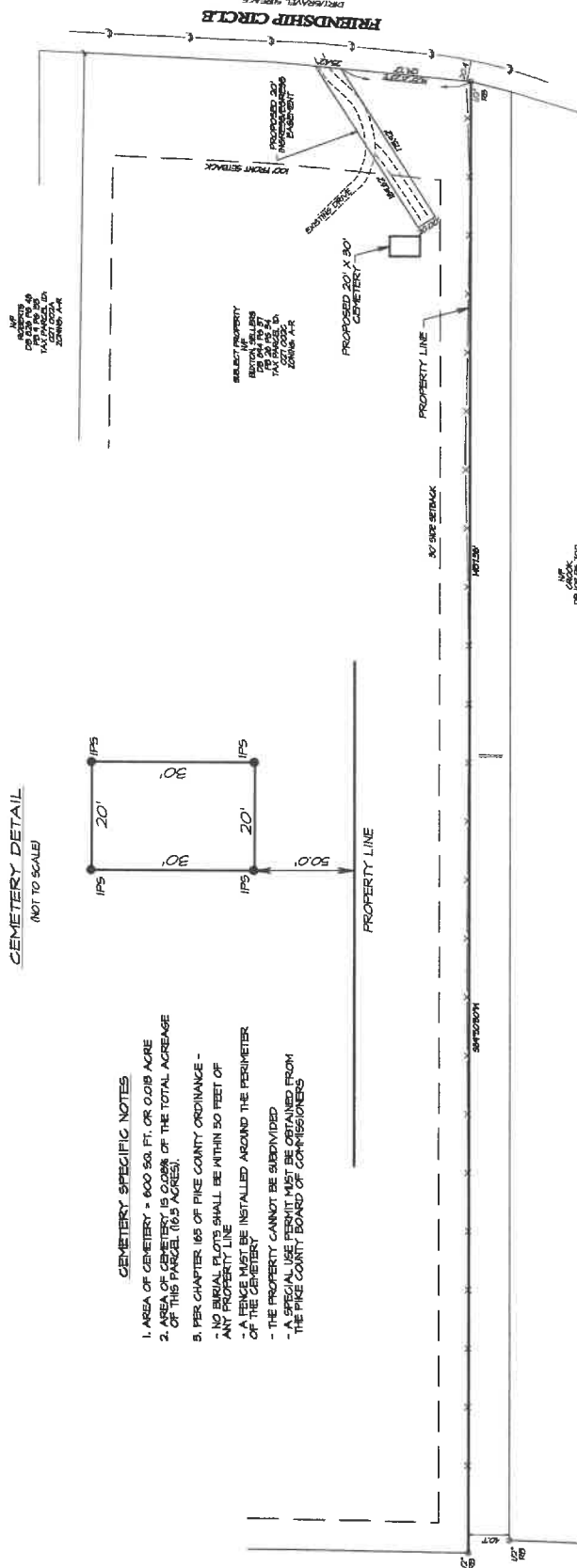
CEMETERY DETAIL (NOT TO SCALE)

CEMETERY SPECIFIC NOTES

1. AREA OF CEMETERY = 600 SQ. FT. OR 0.018 ACRE
2. AREA OF CEMETERY IS 0.008% OF THE TOTAL ACRES OF THIS PARCEL 16.5 ACRES.
3. PER CHAPTER 165 OF PIKE COUNTY ORDINANCE - NO BURIAL PLOTS SHALL BE WITHIN 50 FEET OF ANY PROPERTY LINE OF THE CEMETERY.
4. THE PROPERTY CANNOT BE SUBDIVIDED.
5. THE PLAT FILED HEREIN MUST BE OBTAINED FROM THE PIKE COUNTY BOARD OF COMMISSIONERS.



THIS SURVEY AND THE MEASUREMENTS SHOWN HEREON WERE MADE IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED. THE SURVEYOR ALSO CERTIFIES THAT THE PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



FLOOD NOTE

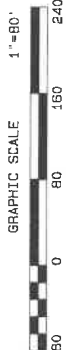
BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP), ONLY A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS PER INSURANCE RATE MAP NUMBER 17010C001A. THE DATE OF THE FLOOD HAZARD MAP IS 02/11/2025. NO FIELD VERIFICATION WAS PERFORMED TO DETERMINE THIS.



TERRA SERVICES COMPANY, LLC

Randy Davis
 Georgia Registered Professional
 Land Surveyor # 3448
 Randall@tsc.com
 770-468-1836

| SURVEY FOR: | | JOB NUMBER: 2025.020 | |
|---------------------------------------|----------------------|----------------------|-----------|
| THE BUXTON FAMILY | | REV. | DATE |
| LAND LOT 212 1ST DISTRICT PIKE COUNTY | | DESCRIPTION: | |
| DATE OF FIELD WORK: | DATE OF SURVEY PLAT: | SCALE: | DRAWN BY: |
| 02/11/2025 | N/A | 1" = 80' | JRD |



PIKE COUNTY PLANNING AND ZONING BOARD

May 8, 2025

6:30 p.m.

The Pike County Planning and Zoning Board will conduct its scheduled monthly meeting on May 8, 2025, 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) SUP-25-03 Jonathan Buxton, owner and applicant, requests a special use permit to allow a private cemetery to be located at 1201 Friendship Circle, Concord GA, 30206. The subject property is further identified as Parcel ID 027 002C and is in Land Lots 237 of the 1st District. The property consists of 16.50 +/- acres. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for a final decision.**
- (2) MOD-25-01 USC Timber Holdings, LLC owner and Flat Shoals Energy Center, LLC applicant request a modification to zoning condition placed on the modified Special Exception (MOD-SE-17-03) granted on November 19, 2020, for a solar farm located on Highway 18, North Maddon Bridge Road and Nixon Road in Land Lots 166, 167, 168, 185, 186, 187, 198, 199 and 200 of the 9th District, further identified as Parcel ID 032 012. The property consists of 1,371 +/- acres and the request is to modify or remove several conditions. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for a final decision.**
- (3) Text Amendment to Article 16, US Highway 19 & 41 Overlay District, of the Unified Development Code. The public is invited to attend to speak in favor or in opposition of the request. **The PZB will forward a recommendation to the BOC for a final decision.**

The Pike County Board of Commissioners will conduct a **PUBLIC HEARING** on the above applicable items on May 27, 2025, at 6:30 pm at the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. **The public is invited to speak in favor or in opposition of each request.**



SUP-25-03

Sign Posted 4-17-2025

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

Text Amendment

SUBJECT:

Text Amendment to Article 16, US Highway 19 & 41 Overlay District, of the Unified Development Code.
The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for a final decision.

ACTION:

ADDITIONAL DETAILS:

ATTACHMENTS:

| Type | Description |
|-----------|--------------|
| ▣ Exhibit | Staff Report |

REVIEWERS:

| Department | Reviewer | Action | Comments |
|--------------------------|-----------------|----------|-----------------------|
| Planning and Development | Gilbert, Jeremy | Approved | Item Pushed to Agenda |



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
jgilbert@pikecoga.com

“Serving Citizens Responsibly”

Case Number: Text Amendment

Planning and Zoning Board Meeting: May 8, 2025

Board of Commissioners Meeting: May 27, 2025

Request: Update Article 16, US Highway 19 & US Highway 41 Overlay District of the UDC to add a provision outlining the allowable and prohibited colors allowed within the overlay district.

Code Reference: Article 16, US Highway 19 & US Highway 41 Overlay District

Staff Analysis: The Planning and Zoning Board requested the Planning and Development office to look at adding a provision to Article 16 of the UDC outlining the allowable and prohibited colors allowed within the overlay district. In February 2025 the PZB and BOC approved an amendment to the overlay district requiring the Planning and Zoning Board to approve the color scheme at the overlay review hearing. This proposed amendment came as a result of the previous amendment to help provide additional clarification. Therefore, planning staff is recommending adding the following section I to Article 16 of the UDC:

Sec. 1615. Design Standards

I. Color Schemes-Allowable and Prohibited Colors

Primary and secondary material colors shall be compatible with each other and adjacent properties. Facade colors shall be low reflectance, muted, subdued, neutral or earth tone colors. On a limited basis, some bright colors are acceptable for contrast and accents only. Otherwise, Bright, vibrant fluorescent, or neon colors of orange, purple, pink, bright green, violet or other similar hues which are visually obtrusive or otherwise inconsistent with the intent of the design guidelines are prohibited.

Recommendation:

Staff recommends APPROVAL of this proposed text amendment.

Attachments:

- Article 16 of the UDC with the redlined changes.
- Legal Ad

ARTICLE 16. US HIGHWAY 19 & US HIGHWAY 41 OVERLAY DISTRICT

Sec. 1601. Purpose.

It is the purpose and intent of the overlay district regulations to establish additional development standards for public and private land development and building construction activities along the major commercial corridors of Pike County to:

- a. Promote the general health, safety and welfare of the community;
- b. Improve the efficient operation of traffic along US Highway 19 and US Highway 41;
- c. Create a sense of place that is aesthetically appealing and environmentally responsible;
- d. Encourage innovative development projects that set standards for landscaping, community design and aesthetics.
- e. Establish consistent and harmonious design standards for public improvements and private property within the overlay districts so as to unify the distinctive visual quality of the US Highway 19 and US Highway 41 corridors.

The overlay districts provide an additional layer of regulations to the underlying zonings of properties along the major commercial corridors to provide additional controls on development, minimize inappropriate, haphazard and inharmonious improvements and alterations to properties, to secure and maintain additional building setbacks, to secure consistency in performance between public and private developments, and for other purposes.

Sec. 1602. Area of Jurisdiction.

- A. The boundaries of the overlay districts are established to include those properties with frontage on US Highway 19 (Georgia State Route 3) and US Highway 41 (Georgia State Route 7). The boundaries of the US 19 overlay district are every parcel of land that has frontage on US 19 on each side of the right-of-way of US Highway 19 from its intersection with the Pike County/Spalding County line to its intersection with the Pike County/Upson County line, less and except portions of US Highway 19 within the municipal limits of Zebulon.
- B. The boundaries of the US Highway 41 overlay district are every parcel that has frontage on US Highway 41 on each side of the right-of-way of US Highway 41 from its intersection with the Pike County/Spalding County line to its intersection with the Pike County/Lamar County line.

Sec. 1603. Applicability of Regulations.

- A. The standards of the US Highway 19 and US Highway 41 overlay district shall apply to all developments except as follows:
 1. Agricultural and single family detached residential uses;
 2. An alteration or renovation that involves 50 % or less of the floor area of an existing building provided that no additional alteration or renovation occurs within a 3 year period.
 3. Expansions of less than 50 % of the floor area of the existing building, provided the same exterior materials on the existing structure(s) are used or a superior material is approved by the Director of Planning and Development and that no additional expansion, alteration or renovation occurs within a 3 year period.
 4. The owner or official designee of an individual development site that by physical features, i.e., topography, buildings, other structures, etc., will prevent new development from being highly visible from the highway may provide evidence in the form of topographic maps, finished floor elevations, maximum height of buildings, photos, balloon tests or other applicable information to the Director of Planning and Development for an administrative exemption approval. Any proposal determined by the Director of Planning and

Development to be exempt from the overlay district requirements shall be brought to the attention of the Planning and Zoning Board as an information item. If the Planning and Zoning Board disagrees with the Director of Planning and Development, the Planning and Zoning Board shall by a majority vote forward the matter to the Board of Commissioners for further review.

5. Development approved prior to the adoption of this ordinance provided the property is not rezoned or a change of use occurs. If rezoning or a change of use occurs, the requirements of this ordinance shall take full effect on the parcel or lot to the extent parcel dimensions will allow.
 6. Any development with an approved land disturbance permit prior to the adoption of this ordinance.
- B. Public and quasi-public buildings such as schools, libraries, churches, etc., shall be subject to the overlay district requirements.

Sec. 1604. Permitted Uses

Unless otherwise specified or prohibited, permitted uses, accessory uses and special use permits which are allowed in the underlying zoning shall also be allowed in the overlay district. Each new development and land use shall conform to the standards of the overlay district as well as to the standards of the underlying zoning district. In the event of a conflict between the standards of the overlay district and the underlying zoning district, the most restrictive requirement shall prevail.

Sec. 1605. Special Use Permits

- A. The following uses shall be allowed in the overlay districts only if the Board of Commissioners approves a special use permit pursuant to the procedures specified by the Pike County Unified Development Code (UDC):
1. self-storage facility,
 2. used car and truck lot,
 3. automobile repair and maintenance facility,
 4. commercial outdoor recreation,
 5. car wash, and
 6. outdoor storage.
- B. This section may be modified to add or delete uses only by amendment through the public hearing process prescribed for amendments to the Pike County Unified Development Code (UDC)

Sec. 1606. Prohibited Uses

- A. The following uses are strictly prohibited in the overlay districts:
1. masts,
 2. towers,
 3. antennas above tree lines,
 4. laying or broiler poultry or turkey houses,
 5. hog parlors and the like,
 6. tattoo parlors,
 7. pawnshops
 8. junk yards, and
 9. adult entertainment establishments.

- B. This section may be modified to add or delete prohibited uses only by amendment through the public hearing process prescribed for amendments to the Pike County Unified Development Code (UDC).

Sec. 1607. Nonconforming Buildings, Structures or Uses of Land

- A. Any lawfully existing building, structure or use of land located within the boundary of an overlay district at the time of adoption of the overlay district shall be deemed to be a nonconforming condition. Any nonconforming building, structure or use of land may continue subject to the following restrictions:
 - 1. If a nonconforming building, structure, or use of land is removed or is made to conform to the standards of the respective overlay district, the condition shall not be permitted to revert to a nonconforming condition.
 - 2. No nonconforming building, structure or use of land shall be allowed to convert to a different nonconforming building, structure or use of land.
- B. No existing building, structure or use of land that was in violation of any applicable code, ordinance or regulation at the time of the adoption of the overlay districts, shall be deemed to be a conforming condition.

Sec. 1608. Application Requirements

All applications for development in the US Highway 19 and US Highway 41 overlay districts shall include a copy of each of the following: a site plan review application form, a site plan, a landscape plan and a narrative description of the project. Architectural renderings or photographs of substantially similar examples of building materials should also be submitted or the applicant may indicate in the narrative a written statement of intent to comply with the building materials and features requirements specified in Section 1615. In addition, the applicant is required to meet with the Director of Planning and Development or designee prior to filing an application to review filing requirements and development standards (pre-application review).

Sec. 1609. Application and Review Fees

Application and review fees shall be in accordance with the current Pike County Fee Schedule, as established by the Board of Commissioners.

Sec. 1610. Site Plan Review Application Form

All applications shall include a complete overlay application form.

Sec. 1611. Site Plan

- A. All applications shall include a site plan prepared by a licensed Georgia registered professional engineer (PE), surveyor (RLS), landscape architect (RLA) or certified planner (AICP). The site plan shall illustrate graphically lot lines and dimensions, street names, zonings of adjacent properties, locations of existing and proposed buildings, required landscape strips and buffers, fences, walls, detention ponds, etc. Development standards and design standards which cannot be illustrated graphically shall be addressed as notes on the site plan.
- B. Site plans shall be drawn at a scale of 1 inch = 50 feet and shall not exceed 24" x 36" in size unless otherwise approved by the Director of Planning and Development.
- C. Applicants shall be required to meet with the Planning Director or designee to review the site plan.
- D. The Director of Planning and Development shall forward the site plan to the Planning and Zoning Board for review. The Planning and Zoning Board shall either approve or reject the site plan. If the site plan is rejected, the Planning and Zoning Board shall forward a written explanation to the property owner/applicant stating the reasons for its decision. If rejected, the property owner/applicant may revise the site plan and resubmit it to

the Planning and Zoning Board or appeal the decision of the Planning and Zoning Board to the Pike County Board of Commissioners within thirty (30) days of the Planning and Zoning Board's action. Upon approval of the site plan by the Planning and Zoning Board or Board of Commissioners, the property owner/applicant may apply for a land disturbance or building permit. In granting a site plan approval, the Planning and Zoning Board or the Board of Commissioners may impose such reasonable and additional conditions as may be deemed necessary to protect adjoining or nearby properties or to otherwise promote the public health, safety or welfare.

- E. Site plans shall not be required for interior renovations.

Sec. 1612. Landscape Plan

- A. All applications shall include a landscape plan prepared by a licensed Georgia registered landscape architect (RLA). The landscape plan shall illustrate all required landscape and buffer areas along with materials, sizes and quantities of planting materials. The plan shall be fully implemented prior to the issuance of a Certificate of Occupancy except as may be approved by the Director of Planning & Development due to inclement weather conditions. Delay of the implementation of the landscaping plan shall not exceed a period of 6 months and the property owner/applicant shall be required to post a performance bond in the amount of 110% of the estimated cost of the delayed landscaping improvements.
- B. Landscape plans shall not be required for development solely involving interior renovations.
- C. The minimum standards for landscape strips, landscape islands and buffers shall be as follows:
 - 1. Landscape strips. A landscape strip is an area measured from a property line reserved for the planting of trees, shrubs, grass and/or ground cover except for approved access and utility crossings. Landscape strips shall be designed with at least 60 % coverage in trees and shrubs and no more than 40 % in grass (sod), or ground cover. At the time of planting, trees shall be a minimum of 2" in caliper and not less than 6ft. in height; shrubs shall be a minimum of 3ft. in height (or minimum 3 gallon containers); and ground cover shall be a minimum of 1 ft. in height (or minimum 1 gallon containers). Mature and native vegetation should be preserved in landscape strips. Where applicable, landscape strips shall be designed so as to conform to GDOT sight distance requirements.
 - a. Landscape strips along public rights-of-way. Landscape strips along public rights-of-way shall be measured from the front property line and shall be a minimum of 25 feet wide along the property's entire public street frontage(s) except at points of ingress/egress or within existing easements of various purposes.
 - b. Landscape strips alongside and rear property lines adjacent to nonresidential uses. A minimum 15 foot wide landscape strip shall be provided along the property's side and rear property lines adjacent to nonresidential zonings and/or uses.
 - c. Landscaping in the rights-of-way of US Highway 19 and US Highway 41 shall be subject to the approval of GDOT. Written authorization or denial by GDOT shall be provided to the Department of Planning and Development as an attachment to the required landscape plan.
 - 2. Landscaping in Parking Areas.
 - a. Landscaped islands shall be provided for every 10 parking spaces and at the ends of each row of parking spaces. The landscaped islands shall be a minimum of 10 feet wide and 18 feet in length and shall include a minimum of 1 canopy tree, 2 evergreen shrubs, and ground cover. Trees shall be a minimum of 2" in caliper and not less than 6 feet in height at time of planting. Shrubs shall be a minimum of 3 feet in height (or minimum 3 gallon containers). Ground cover shall be a minimum of 1 foot in height (or minimum 1 gallon containers). The remaining area of landscaping islands shall be planted with additional trees, shrubs, ground cover and/or grass (sod).

- b. The perimeter of landscaped islands shall be surrounded by a continuous raised concrete or asphalt curb. The width and length of landscaped islands shall be measured from the inside edge of the curb. Trees planted in landscaped islands shall be allowed to grow to maturity and shall not be pruned beyond the requirements of basic maintenance.
- 3. Other required landscaping. All land surfaces other than those covered by buildings, other structures, paving, required landscaped areas, buffers and other site features shall be landscaped with well-maintained grass (sod), flowers, shrubs, etc. The location and details of all other landscaped areas, including designated natural areas, shall be depicted on the required landscape plan.
- 4. Buffers. A buffer is a natural, undisturbed portion of a lot, except for approved access and utility crossings, which is set aside to achieve a vegetative visual barrier alongside the rear property lines between nonresidential zonings/uses and agricultural and/or residential uses. Buffers should be achieved with existing natural vegetation; however, where vegetation does not exist or buffer area is sparsely vegetated, replanting shall be subject to the approval of the Director of Planning and Development.
 - a. Replanted buffers shall consist of a combination of evergreen trees, evergreen shrubs and deciduous shade trees as follows:
 - (i) A staggered row of evergreen trees a minimum of 6 feet in height at the time of planting; or
 - (ii) A single row of deciduous shade trees at least 2 inches in caliper at breast height at the time of planting which are expected at maturity to reach a height of no less than 30 feet; and
 - (iii) 2 staggered rows of evergreen shrubs, at least 3 feet in height, planted a maximum of 4 feet on center.
 - b. Buffers shall be measured from the property line and provided in the following widths:
 - (i) A minimum 50 foot wide buffer shall be provided along the side and rear property lines of all industrially zoned properties adjacent to agricultural and/or residential (including planned and multi-family) zoned properties;
 - (ii) A minimum 25 foot wide buffer shall be provided along the side and rear property lines of all nonresidential zonings/uses (except industrially zoned properties) adjacent to agricultural and/or residential (including planned and multi-family) zoned properties;
 - (iii) Buffers shall not be required between nonresidential and residential uses within a planned or multi-family residential development.
 - (iv) Although a fence, wall, berm or other visual barrier may be substituted for a natural, vegetative buffer if approved through the variance process detailed in Section 1616, under no circumstances shall said fence, wall, berm or other visual barrier be termed a "buffer."
 - (v) Maintenance of Landscaped Areas and Buffers. All landscaped areas and buffers shall be maintained by the property owner. Should vegetation be removed or die, it shall be the responsibility of the property owner to replace it in accordance with the standards herein subject to the approval of the Director of Planning and Development.

Sec. 1613. Narrative

All applications shall include a narrative description of the proposal's consistency with the development and design standards.

Sec. 1614. Development Standards

A. Ingress/egress.

The number and location of curb cuts along US Highway 19 (State Route 3) and US Highway 41 (State Route 7) shall be as approved by the Georgia Department of Transportation (GDOT). Connectivity between parcels shall be as approved by the Department of Public Works. The Department of Public Works may require stub outs to adjacent properties. Where parking lots and/or driveways are located at distances greater than 50 feet from an adjacent property line, no constructed stub out shall be required however, a perpetual easement for ingress and egress from the driveway/parking lot to the adjacent property line shall be required as a condition of site development permit approval.

B. Underground Utilities.

Utilities shall be underground except those above ground utilities existing on the date of the adoption of this ordinance and any future utilities approved as special use permits by the Pike County Board of Commissioners.

C. Outdoor Lighting.

All outdoor lighting shall be night sky friendly, i.e., lighting shall be directed away from adjoining residential properties. Hooded down-light fixtures shall be used to minimize glare onto adjacent properties or roadways.

D. Storm Water Detention Ponds.

Security fencing shall be provided around all detention ponds visible from and within one 100 feet of an adjacent right-of-way. Said security fencing shall be a minimum of 4 feet in height and designed to appear as wrought or forged iron in black or natural earth tone color. If not visible from an adjacent right-of-way, said security fencing may be black vinyl coated chain link fencing or other material as may be approved by the Director of Planning and Development. Evergreen shrubs, a minimum of 3 feet in height when installed and planted at intervals of 4 feet, shall be provided around the perimeter of detention facilities located within 100 feet of a side or rear property line.

Sec. 1615. Design Standards

A. Front and right-of-way facing walls.

Exterior building materials for front exterior walls (containing the primary building entrance) and any side exterior walls that face the highway and/or adjacent public street shall be as follows:

1. Category "A" materials shall comprise 50 percent or more of the area of each wall and shall be limited to one or a combination of the following: brick, natural stone with weathered, polished, fluted, or broken face, and/or glass. No quarry-faced stone shall be used except in retaining walls. The brick and stone material shall not be painted or defaced in any manner. The color scheme of all building materials shall be approved by the Planning and Zoning Board during the overlay review process.
2. Category "B" materials may comprise no more than 50 percent of the area of each wall and shall be limited to one or a combination of the following: masonry backed stucco, exterior insulation finish system (EIFS), fiber cement boards, shingles, wood, manmade stone or false brick, and/or surface textured and painted poured in place concrete. The color scheme of all building materials shall be approved by the Planning and Zoning Board during the overlay review process.
3. Category "C" materials shall be limited to use as trim or accents and may include painted cement block, minimum 22 gauge painted steel, plastic and/or other materials not previously described except that vinyl shall be strictly prohibited. The color scheme of all building materials shall be approved by the Planning and Zoning Board during the overlay review process.

- B. Remaining side and/or rear exterior treatments. Exterior building materials shall be as follows:
1. Any combination of Category A or B materials listed above. As indicated in Section 1608, applicants shall submit either architectural renderings or photographs of substantially similar examples of building materials and/or features or a written statement of intent to comply with these regulations which includes proposed building materials, etc. The Planning and Zoning Board can approve the rear elevation to have metal siding for future expansion during the application review process if submitted by the applicant for consideration.
- C. Speaker Systems.
- No outdoor loudspeakers or music systems shall be allowed on any property less than 5 acres in area. Building security systems and public warning sirens shall not be considered speaker systems.
- D. Loading Docks and Parking Areas for Commercial Vehicles.
- All loading docks and parking areas for commercial vehicles shall be located or screened so as to not be visible from adjacent residential properties. Screening shall be in accordance with Section 1612. No loading dock shall be located in the front of a building.
- E. Parking Area and Materials.
- For properties with frontage on US Highway 41 and located within the boundaries of the US Highway 41 Overlay shall to the maximum extent possible, provide all vehicular parking in rear and side yards and shall be covered with plant mix asphalt or concrete surface and all driveways shall be paved with similar materials. Paving stones and textured treatments may be used in driveways and pedestrian walkways to create variety and visual interest. Parking allowed between the building and the right-of-way shall only be approved by the Planning and Zoning Board during the review process outlined in this article.
- For all parcels that have frontage on US Highway 19 and located within the boundaries of the US Highway 19 Overlay District shall have all parking areas screened from the view of the public right-of-way of US Highway 19 by either a landscape berm of at least 3 feet in height with screening trees planted on 6 foot centers, with a minimum of 2 rows staggered, and all trees planted must be a minimum of 6 feet in height at the time of planting, or the site shall be designed in such a manner that the buildings will be located closer to the road and have no parking between the right-of-way and the building to serve as screening for the parking area. In the event the buildings are brought closer to the road and used as screening all buildings shall be oriented so the rear of the buildings will face the right-of-way and shall be designed in a manner that depicts storefronts to enhance the appearance along the right-of-way. All parking areas shall be covered with plant mix asphalt or concrete surface and all driveways shall be paved with similar materials. Paving stones and textured treatments may be used in driveways and pedestrian walkways to create variety and visual interest. The approval of the either/or requirement above shall be approved by the Planning and Zoning Board during the review process outlined in this article.
- F. Outdoor Storage.
- Outdoor storage shall be allowed only in side and rear yards and shall be fully screened from adjacent properties by a vegetative buffer in accordance with Section 1612 and shall not be visible from the public right-of-way, masonry walls, or opaque wood fencing. Screening shall be a minimum of two (2) feet higher than the top of the materials being screened and no less than six (6) feet nor more than ten (10) feet in height. Chain-link fencing, with or without slats, shall not be allowed as a screening material.
- G. Exterior Equipment/Containers.
- All mechanical equipment, above ground tanks, storage facilities, garbage cans, trash containers, palletized trash, recycling containers, or other similar exterior equipment and/or containers shall be located or

screened so as to not be visible from adjacent streets and properties. Screening may be accomplished by a vegetative buffer in accordance with Section 1612, masonry wall, or opaque wood fencing.

H. Vacant Buildings.

Vacant buildings and properties shall be maintained to include landscaping, parking areas, building exteriors, signs, etc. Sign structures shall not be left without sign-face materials.

I. Color Schemes-Allowable and Prohibited Colors.

Primary and secondary material colors shall be compatible with each other and adjacent properties. Facade colors shall be low reflectance, muted, subdued, neutral or earth tone colors. On a limited basis, some bright colors are acceptable for contrast and accents only. Otherwise, Bright, vibrant florescent, or neon colors of orange, purple, pink, bright green, violet or other similar hues which are visually obtrusive or otherwise inconsistent with the intent of the design guidelines are prohibited.

Sec. 1616. Variances

Where the strict application of any provision of the US Highway 19 or US Highway 41 overlay district would result in an exceptional and practical difficulty or undue hardship upon any owner of a specific property, the owner of said property may file a variance request for consideration by the Pike County Planning and Zoning Board in accordance with the provisions of Article 4 of the Pike County UDC.

Sec. 1617. Conflicts in Language

Where conflicts in language occur between this and other ordinances of Pike County, the most restrictive standard shall prevail. Where determination of the most restrictive standard is not readily determined, the most recently adopted standard shall prevail.

Sec. 1618. Review

A. Staff review.

1. The Director of Planning and Development or designee shall provide written comments regarding deficiencies of the application to the applicant within fifteen (15) business days of the filing of the complete application. If there are no deficiencies noted by staff, the complete application shall be forwarded to the Planning and Zoning Board for review at the next regularly scheduled monthly meeting. A complete file shall be maintained by the Department of Planning and Development for public inspection.
2. If deficiencies are noted by staff, the applicant shall have the right to amend the application or appeal staff's comments to the Planning and Zoning Board.

B. Planning and Zoning Board review.

1. Review of the application shall be by a quorum of the Planning and Zoning Board at a regularly scheduled monthly meeting. The applicant shall be allowed to present the proposal and the members of the Planning and Zoning Board shall be allowed to ask questions of the applicant.
2. The application review process is public, but a public hearing shall not be required. Questions by citizens should be in writing and submitted to the Chairman of the Planning and Zoning Board no later than the commencement of the meeting. The Chairman may, but is not required, to recognize individuals in attendance with questions. The Chairman may seek answers to questions from the applicant or staff.

Each member of the Planning and Zoning Board shall be given ample time to ask questions with final questions to be raised by the Chairman.

3. The Planning and Zoning Board may approve the application as submitted, approve the application as conditioned by the Planning and Zoning Board, table the item until a later, specific date, or deny the application.
4. In making a determination to approve, approve with changes, table or deny an application, the Planning and Zoning Board shall consider the following:
 - a. Does the application meet or exceed the standards of the overlay district?
 - b. Does the application comply with the purpose and intent of the overlay district even if it does not fully comply with all of the standards of the overlay district?
 - c. Are there conditions that need to be added to make the project a more appropriate and economically viable project?
 - d. What are the likely consequences of requiring a specific condition as part of approval, particularly in the absence of prior precedence?
5. Approval or approval with conditions by the Planning and Zoning Board is intended to be the final action necessary for the applicant to proceed with securing a land disturbance permit or building permit provided all permitting requirements are met.
6. Tabling of the item may be to a regularly scheduled meeting or to a special called meeting.
7. Denial of an application is the final action by the Planning and Zoning Board.

Sec. 1619. Amendments to the Text of Overlay District

Text amendments shall be in accordance with the requirements of Article 4, Section 414 of the Pike County UDC.