

**CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
PLANNING & ZONING COMMISSION MEETING
FINAL MINUTES
January 12, 2021
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members:	Dan Hunginton Pekka Ignatius George Kaffezakis Rand Kirkus
Deputy City Administrator:	Leigh Threadgill
Citizens Present:	6

I. CALL TO ORDER:

Chairman Huntington called the meeting to order at 7:21 PM. A quorum was present. City Administrator Tom Rozier and Deputy City Administrator Leigh Threadgill and six members of the public were also present.

Huntington: *Our meeting is being held tonight by public conference call due to COVID-19 virus social distancing requirements. The Planning & Zoning Commission members are participating in the call with video capabilities in case anyone wonders how I am interpreting their voting tonight. In order to ensure that members of the public have access to this meeting, an advertisement was placed in the newspaper of record for Gwinnett County; a notice was placed at the front door of city hall; and a link was placed on the city website regarding the meeting. All of which included instructions for dialing into the meeting via telephone. For any members of the public in attendance, please dial star-six to mute your line to prevent ambient noise if you are not speaking as part of the meeting. To un-mute your line to speak, press star-six again.*

II. APPROVAL OF OR CHANGES TO THE AGENDA

Huntington asked if there were any changes to the printed agenda. There were none.
Kaffezakis moved to approve the agenda. Ignatius seconded. All were in favor.

III. MINUTES

1. Minutes of November 10, 2020

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Ignatius moved to approve the minutes of the November 10th meeting, Kaffezakis seconded and all voted to approve the minutes.

2. Minutes of December 8, 2020

Ignatius moved to approve the minutes of the December 8th meeting, Kaffezakis seconded and all voted to approve the minutes.

IV. OLD BUSINESS

1. PZV 20-06, 4835 Berkeley Walk Point, Applicant/Owner John Kokoska requests relief from Section 78-89(d)(1) of the Zoning Ordinance to reduce the rear building setback for an accessory structure from 20 feet to 2 feet.

John Kokoska, applicant and owner of 4835 Berkeley Walk Point, introduced the request and provided background.

There was discussion about the shed having been constructed without a permit and in violation of the setbacks resulting in the need for a variance. There was further discussion about the location of the shed.

Huntington stated that he wants to go on record that the last thing we want to do is open the door for people to go ahead and build and come ask for permission afterward.

Kirkus made a motion to approve the request. Huntington seconded the motion.

There was further discussion about placing a condition on the approval.

Kirkus moved to amend his previous motion with the condition that the shed will be moved to 6 inches away from the metal fence and parallel to it to maximize the distance from the wooden fence. Kaffezakis seconded the motion. All were in favor and the motion passed.

V. NEW BUSINESS

1. PZV 21-01, 614 Lakeshore Drive, Applicant/Owner Michael and Elaine McDowell request relief from Section 78-197 (5) of the Zoning Ordinance to reduce the front setback from 65 feet to 27 feet for an addition.

Huntington recognized the applicant. Mike McDowell stated that he is available to answer any questions from the Commission.

There was discussion.

Ignatius made a motion to approve the request. Kirkus seconded. All were in favor and the motion passed.

2. PZPR 21-04, River District Unit 1 – Final Plat Revision, Applicant Charles Dean requests to amend the final plat to remove the common area long the Lot 1 property frontage

adjoining North Berkeley Lake Road and donate it to Gwinnett County as additional right-of-way and amend Zoning Condition #5 to reduce the amount of common area provided in the subdivision.

Huntington reminded the Commission that this is a recommendation to the Mayor and City Council, which has the final decision. He further stated that a revision to the original request had been submitted today. The decision was made to go ahead and consider the revision, shrinking the area of land to be donated to Gwinnett County from 4200 square feet to 3400 square feet to ensure the subdivision entrance wall would remain on River District Homeowner's Association (HOA) land.

Huntington recognized the applicant Charles Dean. Charles Dean introduced the request.

There was discussion regarding the impetus behind the plat revision being for a driveway cut on North Berkeley Lake Road to access Lot 1, 3850 North Berkeley Lake Road. It was noted that this driveway would be located within a deceleration lane and there was further discussion about the safety of putting a driveway there.

Jim Sheppard, 4332 River District Way, stated that the effect of the change submitted today is that in the original request the subdivision entrance wall would be put in the right-of-way, and this corrects that. Originally, the River District HOA support was somewhat ambivalent, but now the River District HOA is wholly supportive and this is the preferred access. He stated that he along with Bill Staunton are the lay members of the Architectural Review Board. Starting out, they did not like the idea of coming in from North Berkeley Lake Road. However, the request has been reconsidered after hearing from not only Charles but three other experts who have experience as an architect or builder in River District. These experts said that there will be large loss of trees if the driveway comes in from River District Drive. River District HOA would like to see this approved for the purpose of tree preservation.

There was further discussion about the tree preservation standards for the River District and whether the trees that are intended to be saved by relocating the driveway to North Berkeley Lake Road will be protected. Mr. Sheppard mentioned that there was a separate agreement with Mr. Dean for additional hardscaping and landscaping along North Berkeley Lake Road and there have been discussions that there should be deed restrictions on those trees along the River District Drive entranceway so that they can be protected even after lot development.

Ignatius made a motion to approve the plat revision request. Kirkus seconded the motion. All were in favor and the motion passed.

Huntington stated that he is unsure if he has a vote, but he would vote no if he could vote and wanted Mayor and Council to carefully consider this.

3. Election of Chair

Ignatius moved to nominate Dan Huntington as Chair. Kaffezakis seconded the motion. All were in favor and the motion passed.

4. Election of Vice-Chair

Kaffezakis moved to nominate Pekka Ignatius as Chair. Kirkus seconded the motion. All were in favor and the motion passed.

VI. CITIZEN COMMENTS

There were none.

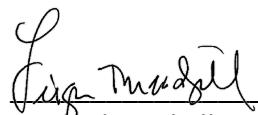
VII. DISCUSSION

There was no other discussion.

VIII. ADJOURNMENT

There being no further business, Kaffezakis moved to adjourn. Kirkus seconded. All voted in favor and Huntington adjourned the meeting at 9:35 PM.

Respectfully submitted,



Leigh Threadgill

Deputy City Administrator