

AGENDA
CITY OF BERKELEY LAKE
PLANNING & ZONING COMMISSION
SEPTEMBER 9, 2025 at 7:15 PM
4040 South Berkeley Lake Road
Berkeley Lake, GA 30096

I. CALL TO ORDER

II. APPROVAL OR CHANGES TO THE AGENDA

III. APPROVAL OF MINUTES

a) July 8, 2025

IV. OLD BUSINESS

V. NEW BUSINESS

a) PZV-25-08 – 472 Lakeshore Drive – Variance to Sec. 78-197(10) and Sec. 78-141 to increase the lot coverage limit from 30% to 32.16% and to expand a non-conforming structure

VI. CITIZEN COMMENTS

VII. DISCUSSION SESSION

VIII. ADJOURNMENT

**CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
PLANNING & ZONING COMMISSION
DRAFT MINUTES
JULY 8, 2025
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members: Dan Huntington
 Pekka Ignatius
 George Kaffezakis
 Rand Kirkus
 David Meilander

City Officials: Leigh Threadgill - City Administrator

Citizens Present: 5

I. CALL TO ORDER

Huntington called the meeting to order at 7:15 PM. A quorum of the commission along with City Administrator, Leigh Threadgill, were present at the meeting.

II. APPROVAL OF OR CHANGES TO THE AGENDA

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

Meilander moved to approve the agenda. Kaffezakis seconded the motion. All were in favor and the motion passed.

III. MINUTES

1. Minutes of June 10, 2025

Kaffezakis moved to approve the minutes of the June 10th meeting. Meilander seconded the motion, and all voted to approve the minutes.

IV. OLD BUSINESS

There was no old business to discuss.

V. NEW BUSINESS

a) PZV-25-06 – 334 Lakeshore Drive – Variance to Sec. 78-89(g)(2) and Sec. 78-141 to allow expansion and modification of a non-conforming boathouse

Huntington acknowledged the applicant.

Andy Anderson, 334 Lakeshore Drive, introduced himself and made himself available for any questions from the commission.

Kaffeidakis asked about the addition of 2 feet of decking on the non-conforming side and why that is necessary. Anderson replied it was for structural support as recommended by the contractor. There was further discussion about the scope of the project.

Kaffeidakis asked to confirm that the roof would be lowered to comply with the 14-foot height limit standard. Anderson replied that it would.

Huntington asked why the boathouse couldn't be moved 12.5 feet to be conforming. Anderson stated that he prefers it in its current location for the view from the house. Huntington asked what the cost difference would be or other considerations. Anderson replied that he didn't know what the cost difference would be but assumed it would be more. He indicated that he approached the project as a repair with the contractor rather than a new build, but he hasn't quoted that. Huntington asked if there was anything that wasn't getting rebuilt. Anderson stated that there will be a new roof and new posts, but some of the decking will remain as is.

Meilander asked which decking was remaining. Anderson responded that it was a 5-foot by 15-foot area to the side.

Huntington noted that in the past there was hesitation to allow expansion of a non-conforming structure. Usually there is a concession to offset the expansion. The change in roof height from 14' 10" to 14' is one thing that helps. Huntington asked if there was anything else that could be conceded to mitigate the impact of the expansion of the non-conformity.

There was further discussion about the impact to the view from the road or neighboring properties, and there was further discussion regarding the cost to shift the boathouse three feet off the non-conforming side property line and further clarification regarding the scope of the project.

Meilander asked about the changes in cost from just repairing as is to what is proposed with the additional width and length.

There was further discussion.

There was further discussion regarding the difference between this request and prior similar requests and there was the distinction that this is a repair. There was further discussion about the motivation for the project being to repair the boathouse to comply with code and in response to inquiries from neighbors.

There was discussion about the trade-off of lowering the roof height to extend the roof length.

Meilander asked if the posts furthest from the property line are leaning. There was further discussion about the structural integrity of the boathouse.

Ignatius noted that this is an improvement to the existing condition from all aspects, and the only issue is consistency with past similar requests, which he is satisfied is not an issue in this case.

There was discussion about whether the boathouse could be replaced as is in its current location if it were blown down.

Threadgill explained the standards for reconstruction of non-conforming structures in the same location following destruction.

There was further discussion regarding shifting the boathouse three feet off the non-conforming property line.

Ignatius made a motion to recommend approval of the variance. Kirkus seconded the motion.

There was further discussion about precedence versus consistency.

Kaffezakis, Kirkus and Ignatius voted in favor. Meilander and Huntington voted against. The motion to approve the variance passed with a vote of 3-2.

b) PZV-25-07 – 266 Lakeshore Drive – Variance to Sec. 78-197(6) and Sec. 78-141 to allow the addition of a pergola on top of a non-conforming deck with a 4.25-foot rear setback.

Huntington acknowledged the applicant.

Erin Glynn, 266 Lakeshore Drive, introduced herself.

Kaffezakis asked about whether the upcoming ordinance amendment would make pergolas exempt from permitting, as noted in the application.

Threadgill responded that it hasn't specifically been addressed but that she encouraged the applicant to share feedback with the consultants.

There was discussion with regard to the pergola providing privacy. Glynn responded that you can hang plants that will provide a screen. Glynn shared an image of her vision of how it would look. There was further discussion regarding the privacy screening opportunity. Glynn also noted that it would also be helpful to shade the deck and help control the temperatures in the house.

Kirkus asked if there would be any roofing added. Glynn stated that there was no plan to do that.

Kaffezakis asked about whether posts had been added. Glynn responded they had been.

There was discussion regarding the expansion to the non-conformity and whether there was any concern that the pergola could be enclosed at some point in the future.

There was clarification that the pergola top does not slope, it is flat, despite the way the rendering depicts it.

There was confirmation that there is no impact to the footprint, but it is expansion to the non-conformity because of the vertical extension. It was noted that a pergola may not have the same impact as a second story.

Ignatius moved to approve the variance. Meilander seconded the motion. All were in favor and the motion passed.

VI. CITIZEN COMMENTS

There were no comments.

VII. DISCUSSION

Kaffezakis asked the consultants to look at considering pergolas exempt from permitting.

VIII. ADJOURNMENT

Kaffezakis made a motion to adjourn. Ignatius seconded the motion. All were in favor and Huntington adjourned the meeting at 8:00 PM.

Respectfully submitted,

Leigh Threadgill
City Administrator

**City of Berkeley Lake
Staff Analysis**

CASE NUMBER:	PZV-25-08, 472 LAKESHORE DR.
RELIEF REQUESTED:	EXPANSION OF A NON-CONFORMING STRUCTURE AND ADDITION OF IMPERVIOUS SURFACES IN EXCESS OF THE 30% LOT COVERAGE LIMIT
EXISTING ZONING:	R-100, RESIDENTIAL
EXISTING USE:	SINGLE FAMILY RESIDENCE
APPLICANT:	JOHN AND CINDY PURCELL 472 LAKESHORE DR BERKELEY LAKE, GA 30096
OWNERS:	JOHN AND CINDY PURCELL SAME AS ABOVE
MEETING DATE:	SEPTEMBER 9, 2025 P&Z COMMISSION

PROPOSED PROJECT:

The applicant requests a variance to expand a 200-square-foot deck by 187 square feet for a total deck size of 387 square feet. The existing house is non-conforming with regard to front and side setbacks as well as building coverage. In addition, the applicant proposes to add 400 square feet of hardscape to provide lake access. The deck expansion will comply with all setbacks and does not contribute to the overall building coverage because it is an open deck. A variance to Sec. 78-141 to expand a non-conforming structure is required along with a variance to Sec. 78-197 (10) lot coverage to increase the lot coverage beyond the 30% limit.

FINDINGS OF FACT:

- 1.) The existing house is located at 472 Lakeshore Drive on a 0.45-acre lot and was built in 1967 according to Gwinnett County property records.
- 2.) It is non-conforming relative to the R-100 front and side setback standards as well as the R-100 building coverage limit of 15%.
- 3.) A variance was granted in 2003 to allow the expansion of a non-conforming structure and to reduce the front setback to 59.5 feet and side setbacks to 5 feet.
- 4.) The project consists of expanding the terrace level deck by 187 square feet and adding 400 square feet of hardscape.
- 5.) Expansion of the deck requires a variance to Sec. 78-141 to allow the expansion of a non-conforming structure. The deck, even once expanded, will comply with all setback standards.
- 6.) Expansion of the deck also requires a variance to Sec. 78-197 (10), lot coverage, because the addition of 187 square feet increases the lot coverage from 29.16% to 30.12%.
- 7.) The hardscape addition further increases the lot coverage from 30.12% to 32.16%.
- 8.) Septic approval for the deck expansion was granted on April 4, 2025.

- 9.) Lakeshore Drive is adjacent to the north; Lake Berkeley is adjacent to the south and single-family residences are adjacent to the east and west.

STANDARDS FOR APPROVAL:

In considering whether to grant or deny this variance request, the commission must evaluate the application based on the criteria specified in Section 78-366 (a)(1) of the zoning ordinance:

a) *Applications for variances.*

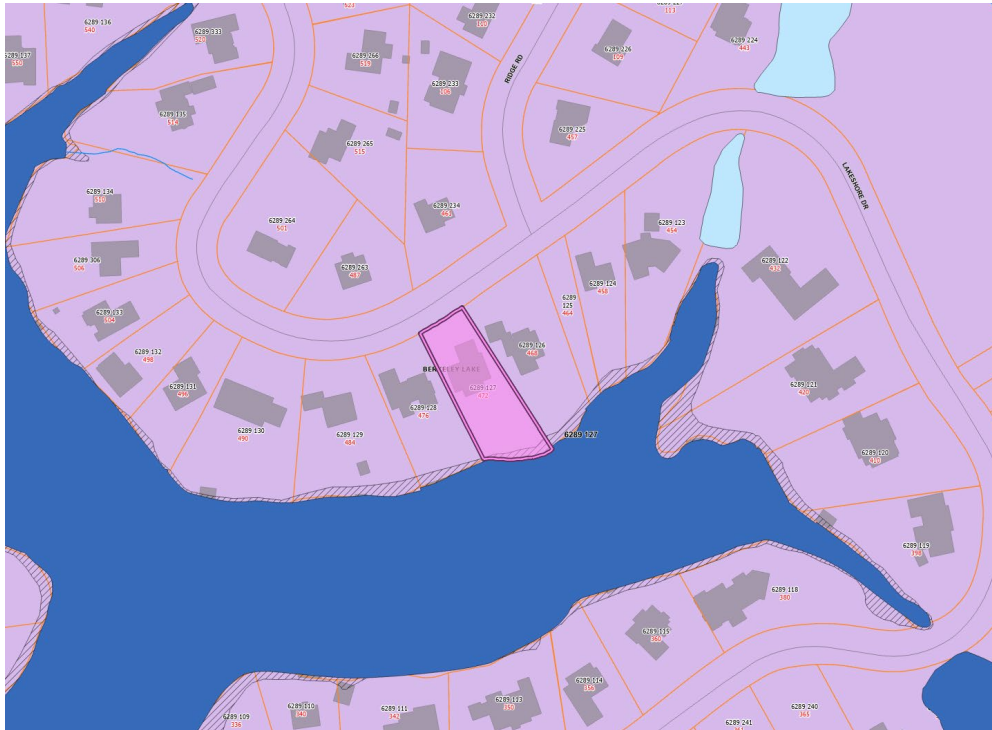
(1) *All applications for variances shall be submitted initially, in writing, to the planning and zoning commission of the city, which shall consider these requests at its next called meeting. The planning and zoning commission may authorize such variance from the terms of this zoning chapter as will not be contrary to the public interest. The spirit of this chapter shall be observed, the public safety, health and welfare secured and substantial justice done. At the hearing, any party may appear in person or have authorized representation. Such variances may be granted in individual cases if the planning and zoning commission finds that:*

- a. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and*
- b. The application of this chapter to this particular piece of property would create an unnecessary hardship; and*
- c. Such conditions are peculiar to the particular piece of property involved; and*
- d. Such conditions are not the result of any actions of the property owner; and*
- e. Relief, if granted, would not cause substantial detriment to the public nor impair the purposes or intent of this chapter; and*
- f. The variance is granted for a use of land or building or structure that is not prohibited by this chapter.*

SITE PHOTO



LOCATION MAP



AERIAL PHOTO



SURVEYORS NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATION WAS MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATION ARE BEGUN, CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.

2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENT OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.

3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

4. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

5. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.

6. ALL REBARS SET ARA 1/2" REBARS UNLESS OTHERWISE NOTED.

7. THE EXISTENCE, SIZE AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

8. CONTOUR INTERVAL= 2 FEET

9. ALL DISTANCES SHOWN ON PLAT ARE GROUND DISTANCES.

INSTRUMENT USED:

GEOMAX ZOOM 90 ROBOTIC TOTAL STATION.
REFERENCE USE DEED BOOK: 58108 PAGE: 495
REFERENCE USE: PLAT BOOK: E PAGE: 249

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	14.40	280.36	N61°40'50"E	14.40

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.96	S31°06'09"E
L2	9.03	S36°01'43"W
L3	15.12	S69°12'43"W
L4	59.32	S86°14'43"W
L5	13.79	N80°07'19"W
L6	7.24	S75°07'05"W
L7	2.03	N26°04'05"W

NOTE:

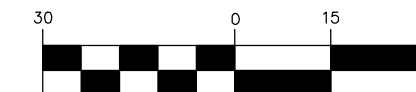
1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 65,580 FEET AND AN ANGULAR ERROR OF 00 00'06" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1: 183,383 FEET
2. ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC. HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.
3. NO VISIBLE EVIDENCE OF A CEMETERY FOUND.
4. BEFORE DEVELOPMENT OF THIS PROPERTY, DEVELOPER AND ARCHITECT TO CONFIRM ZONING DISTRICT & SETBACK, PER ZONING DEPARTMENT.
5. THE BOUNDARY IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND IT MAY NOT REPRESENT THE ACTUAL LIMIT OF TITLE.

FLOOD STATEMENT

PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY "F.I.A. OFFICIAL FLOOD HAZARD MAP PANEL # 13135C0068G DATE: 03/04/2013

N/F
YESSICK ANN M.
PARCEL ID: R6289 126
DB: 14437 PG: 187
PB: E PG: 249
ZONING: R-100
468

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

LOT AREA
19,588 sq.ft.
0.450 acres
ZONING: R-100

BOUNDARY SURVEY OF TOPOGRAPHIC AND EXISTING CONDITION FOR:

AARON HORTON

472 LAKESHORE DRIVE
BERKELEY LAKE, GA 30096
PARCEL ID: R6289 127
LAND LOT: 289 6TH DISTRICT
CITY OF BERKELEY LAKE
GWINNETT COUNTY, GEORGIA
DATE OF FEILD SURVEY: 6-25-2025 (R&D)
SCALE 1"=30' DATE OF PLAT 6-30-2025
SHEET SIZE 11" X 17" JOB # 28843

HURD PRINCE & ASSOCIATES, INC.

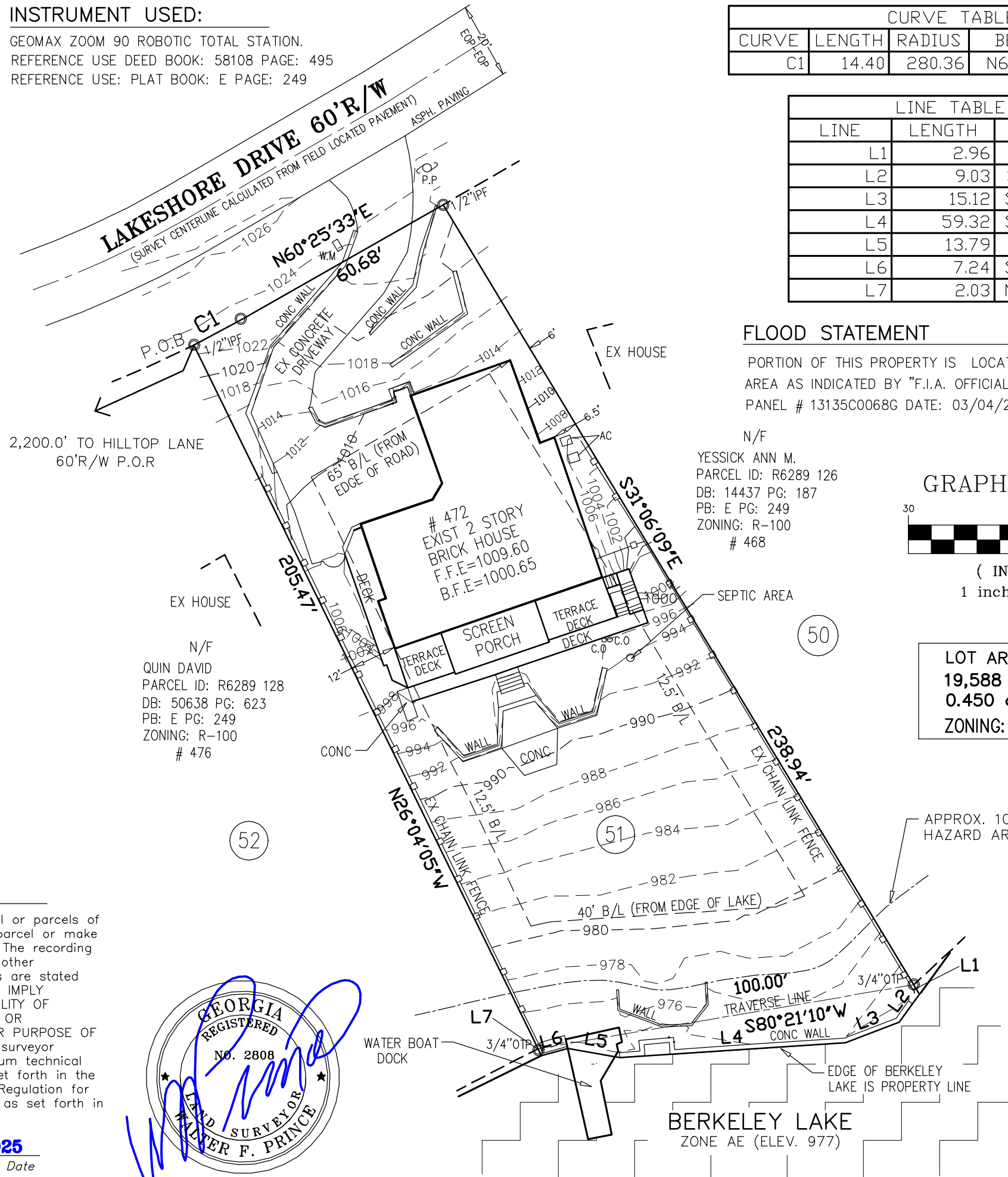
Consulting Planners & Surveyors
110 MLK SR HERITAGE TRAIL
STOCKBRIDGE, GEORGIA 30281-3424

Phone (678)-593-5450 Cell (404) 372-7304

SURVEYOR'S CERTIFICATE

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Regulation for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

WALTER F. PRINCE Georgia RLS No. 2808 Date 6-30-2025



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LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- O.H.P. OVERHEAD POWER LINE
- P.P. POWER POLE
- L.L.L. LAND LOT LINE
- I.P.F. 1/2" IRON PIN FOUND
- I.P.S. 1/2" IRON PIN SET
- OTPF OPEN TOP PIPE FOUND
- C.L. CENTER LINE
- ⊗ LOT NUMBER
- W.M WATER METER
- G.M GAS METER

GRAPHIC SCALE



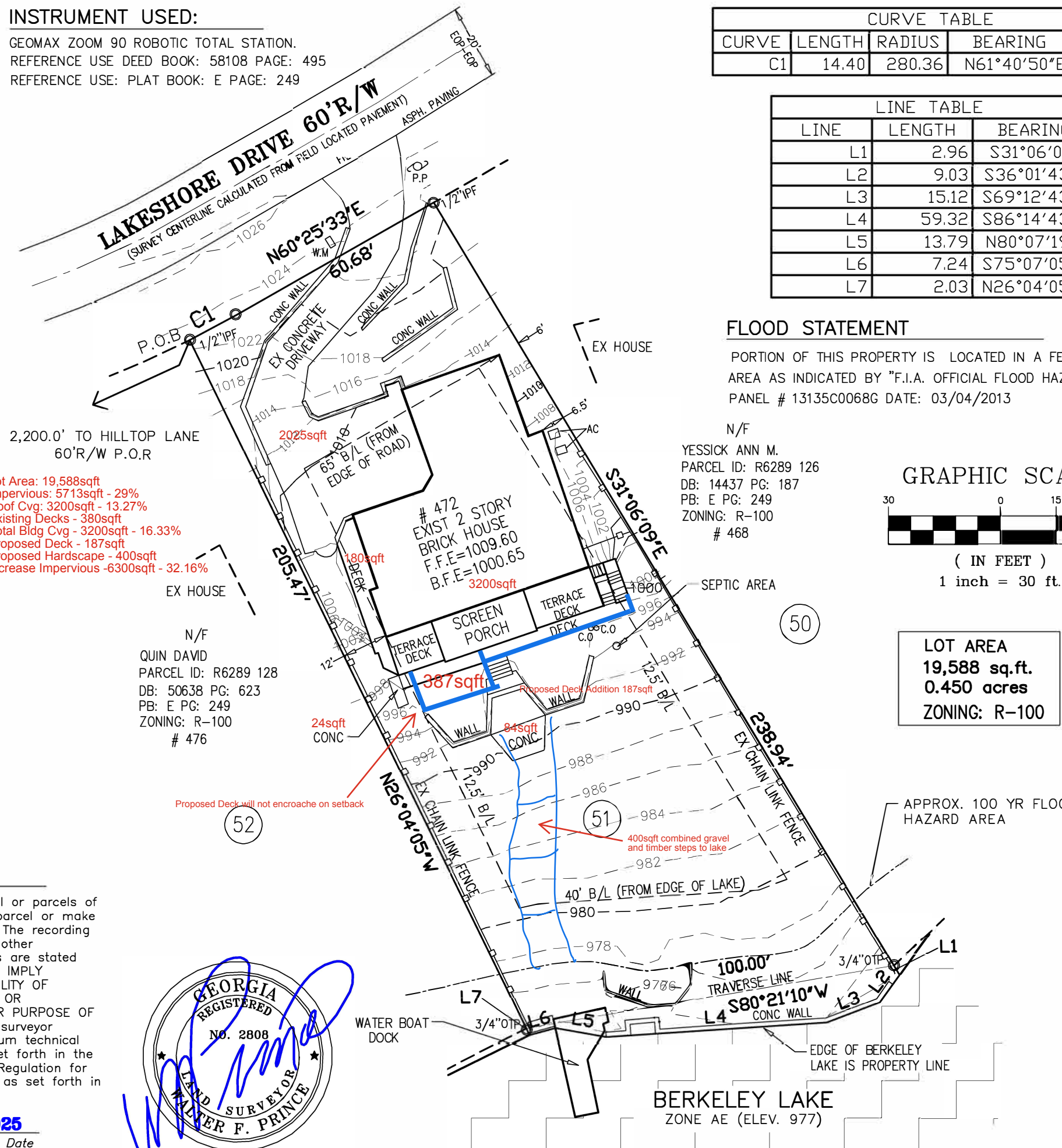
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0.450 acres
ZONING: R-100

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WALTER F. PRINCE Georgia RLS No. 2808 Date **6-30-2025**



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AARON HORTON

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