

AGENDA
CITY OF BERKELEY LAKE
PLANNING & ZONING COMMISSION
JUNE 9, 2026 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) May 12, 2026

IV. OLD BUSINESS

V. NEW BUSINESS

a) PZV-26-04 – 510 Lakeshore Drive variance to Section 78-89(g)(5) to build a deck over Lake Berkeley that exceeds the 875 square-foot maximum for shoreline structures

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
MAY 12, 2026
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members: Dan Huntington
Pekka Ignatius
Dave Meilander

City Officials: Leigh Threadgill - City Administrator

Citizens Present: 1

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.

Kaffeidakis moved to approve the agenda. Ignatius seconded the motion. All were in favor and the motion passed.

III. MINUTES

1. Minutes of April 14, 2025

Ignatius moved to approve the minutes of the April 14th 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-26-03 – 540 Lakeshore Drive Variance to Section 78-89(g)(3) to build a boathouse closer than 75 feet from the opposite shore

Huntington acknowledged the applicant and asked him to review his request.

Barry Newton, 540 Lakeshore Drive, introduced himself. He noted he has some aerial pictures to share and reviewed the background of the request. He noted that the prior dock had been destroyed and that he received a variance to re-build the prior dock and add a cantilevered roof. However, he discovered that cantilevering the roof would be risky because it was proposed to be cantilevered 10 feet and couldn't be expected to survive a wind storm.

To compromise, Newton has reduced the footprint. Now, rather than trying to cantilever the roof, there are posts that are provided in the lake to support the roof. The entire structure has been moved five feet back toward the shore to provide more space in the lake to mitigate the installation of the posts.

The new plan will put the closest point of the dock/boathouse 31.5 feet from the opposite shore.

The applicant fielded questions from the commission.

There was further discussion.

Ignatius moved to approve the request as submitted. Meilander seconded the motion. All were in favor and the motion passed.

VI. CITIZEN COMMENTS

There were none.

VII. DISCUSSION

There was none.

VIII. ADJOURNMENT

Ignatius made a motion to adjourn. Meilander seconded the motion. All were in favor and Huntington adjourned the meeting at 7:35 PM.

Respectfully submitted,

Leigh Threadgill
City Administrator

**City of Berkeley Lake
Staff Analysis**

CASE NUMBER:	PZV-26-04, 510 LAKESHORE DR.
RELIEF REQUESTED:	INCREASE IN DOCK/BOATHOUSE ALLOWABLE SQUARE FOOTAGE FROM 875 SF TO 988.5 SF
EXISTING ZONING:	R-100, SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	DECK OVER LAKE BERKELEY
APPLICANT:	GRETA AGNEW 510 LAKESHORE DR. BERKELEY LAKE, GA 30096
OWNER:	SAME AS APPLICANT
MEETING DATE:	JUNE 9, 2026 P&Z COMMISSION

PROPOSED PROJECT:

The applicant recently added on to an existing dock to create a dock/boathouse that is 833.5 square feet. Now she would like to build a deck over the water in the same footprint as a former boathouse. The proposed deck is 155 square feet in area. Other than exceeding the maximum size for shoreline structures, the deck complies with the zoning ordinance.

FINDINGS OF FACT:

- 1.) Formerly, there was a boathouse which was damaged by a tree that the owner would like to replace with a low-profile deck.
- 2.) The pilings that supported the boathouse are still there, and the proposed deck would be built on those pilings.
- 3.) In 2024, an existing dock on another part of the property was expanded to be 833.5 square feet in area, leaving 41.5 square feet of available area for shoreline structures.
- 4.) However, the applicant would like to re-build a 155 square-foot deck over the water.
- 5.) A 113.5-square-foot variance is needed to allow construction of this new deck.
- 6.) The deck area would be located in an area that is best described as an indentation of the lake into the subject property. The proposed structure will not protrude into the navigable part of the lake.
- 7.) Properties to the north and south are zoned R-100 and the location of single-family residential uses. The right-of-way of Lakeshore Drive is located to the east, and Lake Berkeley is adjacent to the west.

STANDARDS FOR APPROVAL:

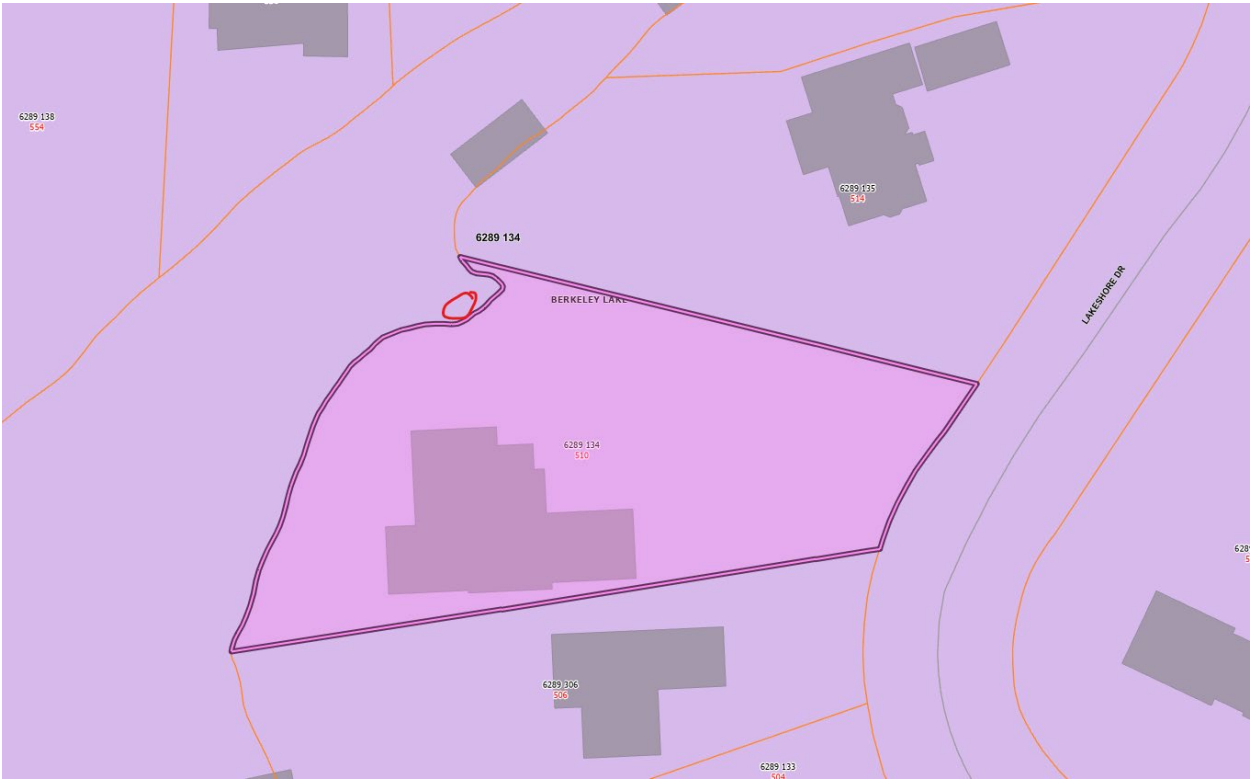
In considering whether to grant or deny this variance request, the commission must evaluate the application based on the criteria specified in Section 78-366 (a)(1) of the zoning ordinance:

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.*

LOCATION MAP



AERIAL PHOTO





Application for Variance

For Office Use Only	
Application #:	V/AV 2604
Check #:	2321 Cash: _____
Date Paid:	4/15/26
P&Z hearing date:	6/9/26
Action:	_____
Appeal filed:	_____
Council hearing date:	_____
Account 100.34.1390.2	
Variance App	\$ _____

Part 1: Applicant Information

APPLICANT IS: Owner Agent Attorney

NAME Greta Gilson Agnew DATE April 3, 2026
 MAILING ADDRESS 510 Lakeshore Drive
 CITY Berkeley Lake STATE GA ZIP 30096
 TELEPHONE _____ MOBILE 770-330-1914 FAX _____
 E-MAIL ggilson 5415 @ comcast.net

Part 2: Property Owner Information

NAME(S) Greta Gilson Agnew
 MAILING ADDRESS 510 Lakeshore Drive
 CITY Berkeley Lake STATE GA ZIP 30096
 TELEPHONE _____ MOBILE 770-330-1914 FAX _____
 E-MAIL ggilson 5415 @ comcast.net

Part 3: Property and Use Information

PROPERTY ADDRESS 510 Lakeshore Dr. PARCEL ID 289
 PARCEL SIZE 0.62 acre ZONING single family
 EXISTING USE private home

I am requesting relief from code section _____ for the purpose of:

Build a small deck where boat house was located. It was destroyed during home building. A boat house is not needed now, but I would like to use the original footprint for the low-lying deck. It will not impede boat traffic. The original pilings are in place & the sea wall has been repaired. It is in a small cove - offset from boat traffic.

NOTICE: The granting of a Variance does not affect any requirement for a Building Permit for proposed construction.

The following supplemental documentation must be submitted with this application:

- Letter of Intent describing the proposed construction, development or improvements.
- Site Plan showing all existing and proposed improvements on the property.
- Survey of the property

Variance Application: Part 3: Property and Use Information (continued)

Applicant: Please provide written responses to the following items in order to support the request. Attach a separate sheet if necessary:

1) Explain the extraordinary and exceptional conditions pertaining to the size, shape or topography of the subject property; OR if this request is for the expansion of a non-conforming structure, explain whether granting the variance would result in an increase in the non-conforming aspects of the structure.

There will be no protrusion of the deck into the main waterway - so it will not interfere with neighbors navigating to their docks. I believe that this will add an aesthetic feature to the property.

2) Explain how the application of the ordinance to the subject property would create an unnecessary hardship.

I have had the sea wall and "boardwalk" with benches rebuilt which has made the property/area more attractive. I will use the existing pilings for the new smaller, low rise deck. Without the deck - the new seawall will have been a waste of money.

3) Explain how the conditions are peculiar or unique to the subject property.

This is a small cove which sits back into the property with the sea wall around it at the ravine on the land.

4) Are the conditions requiring a variance the result of any actions of the property owner? If YES, explain.

The former fishing boat house & deck were destroyed when a tree was cut down during home construction.

5) What, if any, detriment to the public or impairment to the purposes of the ordinance would result if the variance were granted.

There will be no impact on the public. It will not impede lake traffic.

6) Is the proposed use of land, building or structure permitted by the zoning ordinance?

The was previously a fishing boat house with deck on top.

I hereby make application to the City of Berkeley Lake, Georgia for the above referenced property. I do hereby affirm that the information provided here, above and contained in all material I submit for the purposes of supporting my request for a Variance, to the best of my knowledge is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken as a result of this application. I understand that it is my/our responsibility to conform to all City of Berkeley Lake ordinances in full and obtain any additional permits as may be required and that failure to do so will result in enforcement action taken by the City.

Applicant's Signature

Dustin D. Agan

Date

April 15, 2024

Owner's Signature

Dustin D. Agan

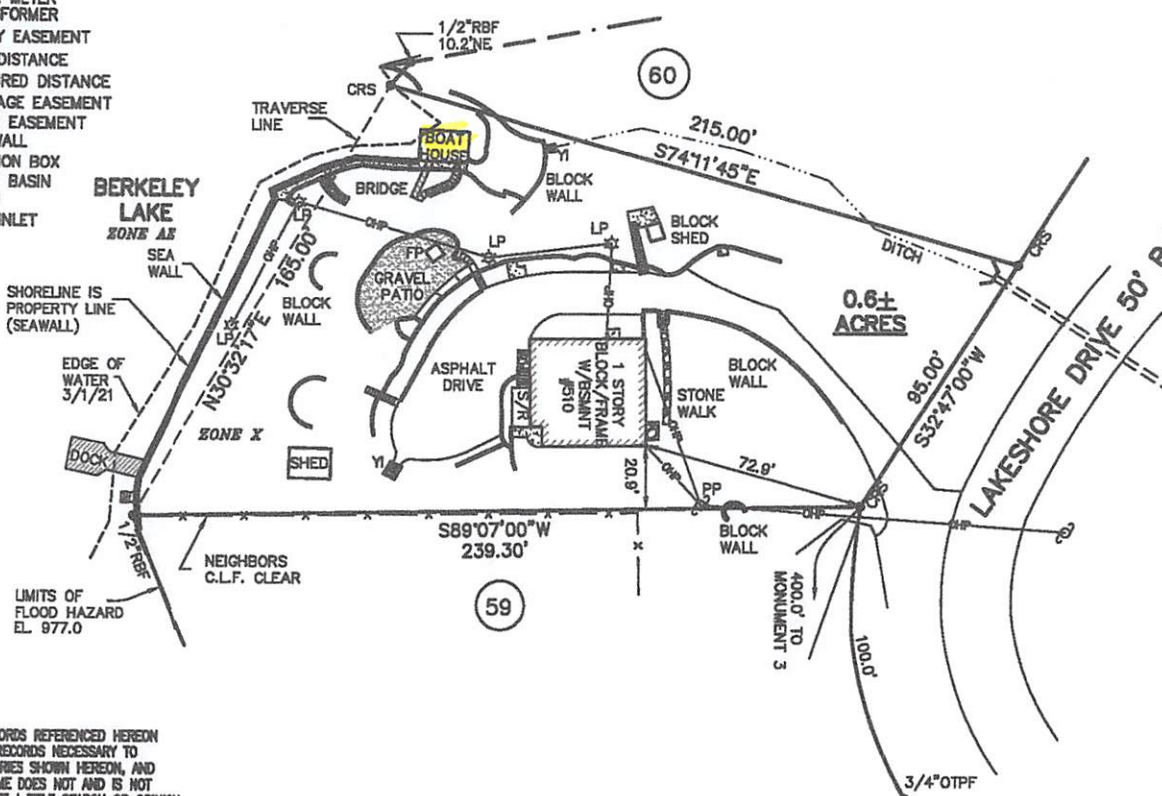
Date

April 15, 2024

LEGEND

- RBF REBAR FOUND (1/2" REBAR)
- CRS CAPPED REBAR SET (1/2" REBAR)
- CRBF CAPPED REBAR FOUND
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- ☆ LIGHT POLE
- BL BUILDING LINE
- C.L.F. CHAIN LINK FENCE
- R/W RIGHT-OF-WAY
- TPED PHONE PEDASTAL
- CATV CABLE BOX
- WM WATER METER
- PB TRANSFORMER
- U/E UTILITY EASEMENT
- (12.34'D) DEED DISTANCE
- 12.34'(M) MEASURED DISTANCE
- DE DRAINAGE EASEMENT
- SSE SEWER EASEMENT
- HW HEADWALL
- JB JUNCTION BOX
- CB CATCH BASIN
- P PORCH
- YI YARD INLET

BASED ON SE BEARING PER PLAT



GENERAL NOTES

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND ACCURATE TO WITHIN ONE FOOT IN 2,780.344 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000± FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

A NIKON - TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE OR STRUCTURE.

CERTIFICATION IS MADE TO PERSON(S) NAMED ON THIS PLAT AND IS NOT TRANSFERABLE TO OTHERS.

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED

FLOOD NOTE:

BASED ON GRAPHIC DETERMINATION, A PORTION OF THIS PROPERTY DOES LIE WITHIN A FEMA/FIRM SPECIAL FLOOD HAZARD AREA [ZONE AE] PER COMMUNITY PANEL NO. 13135C0088 DATED 3/4/13



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

NOTE: THE PUBLIC RECORDS REFERENCED HEREIN REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREIN, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR OPINION. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREIN.

SCI Development Services
 ENGINEERS - SURVEYORS - LAND PLANNERS
 2020 WESTSIDE COURT-SITE E-SHELLVILLE GEORGIA 30078
 (770) 738-7868 FAX (770) 738-4623
 MAIL@SURVEYCONCEPTS.NET

PROJECT: 55127
 DWG BY: DCP
 GRID BY: JAS
 DATE: 3/1/21
 SCALE: 1"=40'

SURVEY FOR:
THOMAS R. UPDEGRAFF & DOROTHY A. UPDEGRAFF
 LOT 59-1
 SUBDIVISION: BERKELEY REALTY & INVESTMENT COMPANY - LAND LOT 288 8th DISTRICT CITY OF BERKELEY LAKE GWINNETT COUNTY, GEORGIA
 REFERENCED IN PLAT BOOK "F", PAGE 217 & PLAT BOOK "E", PAGE 248

ZONING CRITERIA
 ZONING DISTRICT: R-100
 PARCEL ID: R6289 134

LOT COVERAGE: 30% MAX
PROPOSED: 25% (6,938 SF)

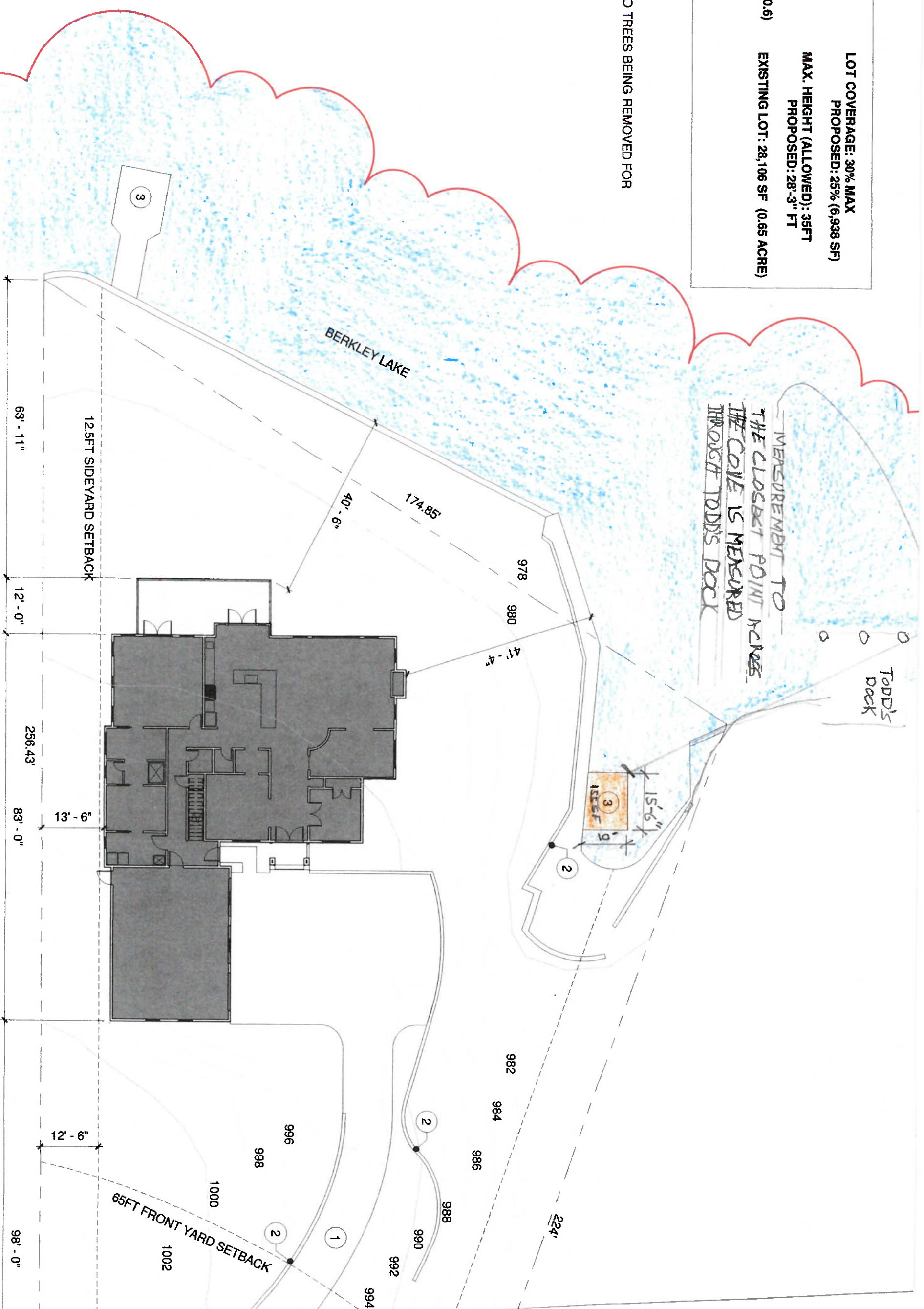
MINIMUM SET BACKS: (PER SECTION 5-20.6)
 FRONT 65 ft.
 SIDE 12.5 ft.
 REAR 40 ft. (BERKLEY LAKE)

MAX. HEIGHT (ALLOWED): 35FT
PROPOSED: 28'-3" FT

EXISTING LOT: 28,106 SF (0.65 ACRE)

GENERAL SITE NOTES:
 1. ALL TREES ARE EXISTING TO REMAIN, NO TREES BEING REMOVED FOR ADDITION.

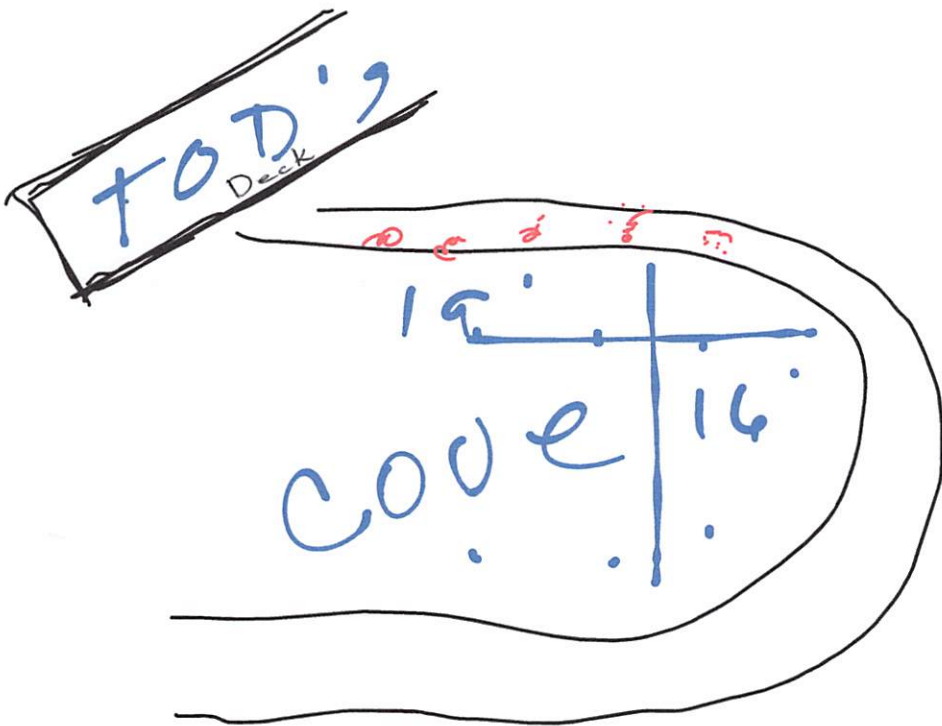
- SITE LEGEND:**
- 1 EXISTING CONCRETE DRIVEWAY
 - 2 EXISTING SITE WALLS TO REMAIN
 - 3 EXISTING DOCK TO REMAIN



Good day,

During the building process at 510 Lakeshore Drive, a tree fell on the boathouse. With the lake down, I have had the existing sea wall and boardwalk rebuilt. The pilings remain from the existing boathouse structure. I would now like to build a small, low lying deck using the existing pilings. From the distal piling to the sea wall is 19 ft, and from sea wall to sea wall is 16 ft. This will not impede boat traffic, as it will be in a little cove. It will sit back from Tod's deck, and will be lower, so as to not interfere with his view of the lake, as I think the original boathouse possibly did.

Trex decking will be used to match the boat dock. Railing will match the railing on the house. I have started landscaping and planting around the area to enhance the beauty of the revine.



proposed deck

