



PUTNAM COUNTY PLANNING & DEVELOPMENT

117 Putnam Drive, Suite B ♦ Eatonton, GA 31024

Tel: 706-485-2776 ♦ 706-485-0552 fax ♦ www.putnamcountyga.us

Agenda

Thursday, June 03, 2021 ♦ 6:30 PM

Putnam County Administration Building – Room 203

Opening

1. Call to Order
2. Attendance
3. Rules & Procedures

Minutes

4. Approval of Minutes-May 6, 2021

Requests

5. Request by **Josh & Lauren Sprayberry** for a rear yard setback variance at 149 Mags Path. Presently zoned R-1 [**Map 104A, Parcel 102, District 3**].
6. Request by **Robert & Susan Dods** for a rear yard setback variance at 101 Twisting Hill Ln. Presently zoned R-2. [**Map 111C, Parcel 043, District 4**].
7. Request by **Keith Davis (LWJM Properties)** for a right side setback variance at 364 Possum Pt. Rd. Presently zoned R-2. [**Map 088B, Parcel 190, District 4**].

New Business

Adjournment

The Planning & Zoning Commission meeting will be conducted pursuant and in accordance with O.C.G.A. Chapter 36-66.

Notice: All opponents to any rezoning request on the Planning & Zoning Commission and the Board of Commissioners agendas must file a disclosure of campaign contributions with the Planning & Development Department within five calendar days prior to public hearings if you have contributed \$250.00 or more to an elected official in Putnam County within the last five years.

*The Putnam County Board of Commissioners will hear these agenda items on June 15, 2021 at 6:30 P.M., in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, GA 31024.

The full meeting package can be reviewed in the Planning & Development office upon request.

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits.

The Board of Commissioners' hearing will be conducted pursuant to O.C.G.A. 50-14-1 and Section 66-152 of the Putnam County Code of Ordinances and meets the requirements of the Zoning Procedures Laws established in O.C.G.A 36-66.

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

File Attachments for Item:

5. Request by **Josh & Lauren Sprayberry** for a rear yard setback variance at 149 Mags Path. Presently zoned R-1 [**Map 104A, Parcel 102, District 3**].



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PLAN 2021-00874

APPLICATION FOR ZONING ACTION: VARIANCE

Permit # B2018-01402

Application Information

(same as owner Yes No)

Name: SPRAYBERRY

Address: 149 MAGS PATH
EATONTON, GA. 31024

Phone: 770-313-7898

Email: LAURENKINGSPRAYBERRY@GMAIL

Fax: _____

Arterial/State Road. Yes: No: _____

Property Information

Address: 147 MAGS PATH

Map: _____ Parcel: _____

Presently Zoned: _____ Com. District: _____

Total Acreage: 0.958

In Conservation Use: Yes No

State Waters on Property: Yes No

SETBACKS: Front: 30 Rear: 30 Lakeside: 35' Left: 20 Right: 20

TOTAL SQ. FT. (existing structure) 4000 TOTAL FOOTPRINT (proposed structure) 16x32 POOL

LOT LENGTH (the total length of the lot) 239.91'

LOT WIDTH AT BUILDING SETBACK (how wide the lot is where you are proposing to build) 153.61'

REASON FOR REQUEST: SWIMMING POOL IN REAR. NEEDING 35-40 SETBACK TO CONTINUE PLANNING

SUPPORTING INFORMATION ATTACHED TO APPLICATION:

RECORDED PLAT: LETTER OF AGENCY _____ LETTER OF INTENT _____

SITE APPROVAL/LAYOUT OF SEPTIC SYSTEM FROM HEALTH DEPARTMENT

PROPOSED LOCATION MUST BE STAKED OFF

*SIGNATURE OF APPLICANT: M. J. 76 DATE: 3/31/21

*APPLICANT HEREBY AFFIRMS THAT APPLICANT IS THE PROPERTY OWNER OR HAS THE LEGAL AUTHORITY TO SIGN THIS FORM ON OWNER'S BEHALF, AND APPLICANT AGREES TO INDEMNIFY AND HOLD PUTNAM COUNTY/CITY OF EATONTON HARMLESS IN THE EVENT IT IS DETERMINED APPLICANT DOES NOT HAVE SUCH LEGAL AUTHORITY.

DATE FILED <u>4/29/21</u>	FEE: \$ 220.00	CK. NO. <u>1665</u>	CASH _____	C. CARD _____	INITIALS <u>AE</u>
RECEIPT # _____					
DATE OF NEWSPAPER AD: <u>5-13-2021</u>	DATE SIGN POSTED: <u>5-11-2021</u>				
PLANNING & ZONING HEARING: <u>6-3-2021</u>	RESULT: _____				
COMMISSIONERS'/CITY COUNCIL HEARING: _____	RESULT: _____				

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OWNER AUTHORIZATION

Submission of inaccurate information may be cause for denial of the requestor, if discrepancies are realized after the approval for the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners. The following documents must be submitted with this application before the application deadline.

Incomplete applications will not be accepted or processed.

1. Payment of appropriate fee (please make checks payable to Putnam County Planning & Development)
2. Plat or site plan, drawn to scale, showing the locations of structures or uses for which the variance is sought, as well as the relationship to existing structures. Dimensions must be included.
3. A written description of your request in a letter format addressed to Putnam County Planning & Development. All required criteria (attached) must be addressed in the written description. Specific sections of the ordinance that would cause hardship must be identified, along with a description of the particular hardship.

The documents listed above are the minimum requirements. Staff may require additional documentation depending on the nature of the Variance Request. All submitted documents are public records and subject to Opens Records Law.

I have reviewed the application procedures and all applicable criteria and regulations in the Putnam County Zoning Ordinance for the above-requested Variance Request. I hereby claim that this application fulfills said procedures and meets the criteria for approval.

Applicant Signature: Michael Fayoy Date: 3/31/2021

I swear that I am the owner of the property listed above. I authorize Michael Fayoy (applicant's name) to apply for a zoning action (zoning map amendment, conditional use, variance) at the above listed address, as identified on the attached application.

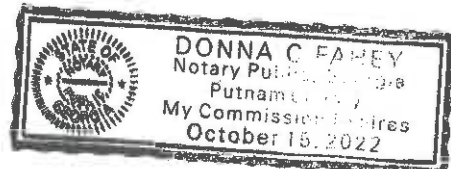
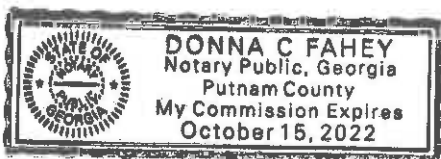
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DF

Louise K. Grayberry
Owner signature

Donna C Fahey
Notary Public

Sworn and subscribed before me this 31 day of MARCH 2021.



117 Putnam Dr. Suite B
Eatonton, Georgia 31024
Phone: 706-485-1776

OWNER: Josh Sprayberry
BUILDER: Owner
LOCATION: 149 MAGS PATH

POST AT DRIVEWAY ENTRANCE OF THE SITE

BUILDING PERMIT # B2018-01402 DATE

STEP 1

EROSION CONTROL MEASURES IN PLACE - SILT FENCES

DRIVE WAY GRAVELED (50' FROM EDGE OF ROAD IF NECESSARY) WITH CULVERT AND FLARED ENDS

TOILET FACILITY

PERMIT POSTED IN WATER PROOF COVER

PROPERTY LINES MARKED

TEMPORARY POWER

FOOTER

REBAR GROUND

STEP 2

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POURED WALL OVER 48" HIGH

UNDER SLAB ROUGH PLUMBING

SLAB HOUSE

SLAB GARAGE



JORDAN ENGINEERING, INC., 144 N. WARREN ST., MOUNTICELLO, GA 31064
 PHONE (706) 468-9999 FAX (706) 504-9829
 robert@jordan-eng.com

SOIL INVESTIGATION REPORT

COUNTY: **PUTNAM** SUBDIVISION: _____ LOT NO. _____

CLIENT/OWNER: **LAUREN SPRAYBERRY** LAND LOT: _____ DISTRICT: _____

STREET NAME: **MAOS PATH** CLIENT PHONE/EMAIL: **770-313-7898** lauren@jordaneng.com

ESTIMATED SOIL PROPERTIES

SOIL SERIES	DEPTH TO OBSERVED HIGH WATER TABLE (inches)	DEPTH TO AUGER REFUSAL (inches)	DEPTH TO INDICATORS OF SEASONAL WATER TABLE (inches)	ABSORPTION RATE FROM INDIATOR RANGE (minutes/inch)	APPROX. SLOPE (percent)	RECOMMENDED INSTALLATION DEPTH RANGE (inches)	SUITABILITY CODE	CONVENTIONAL SYSTEM NOTES
PACOLET	>72	>72	>72	45	2-10	24 - 48	A	SUITABLE
MADISON	>72	>72	>72	45	2-10	24 - 48	A	SUITABLE

1.) THIS REPORT IS VOID IN AREAS WHERE CUT OR FILL OF MORE THAN 18" OCCURS AFTER THE TIME OF THE FIELD STUDY.
 2.) THESE RESULTS DO NOT GUARANTEE THE PROPER PERFORMANCE OF AN ONSITE SEWAGE MANAGEMENT SYSTEM AT THIS SITE.

KEY TO GEORGIA DHR SUITABILITY CODES:
 A. SOIL SERIES SHOULD HAVE THE ABILITY TO FUNCTION AS SUITABLE ABSORPTION FIELD WITH PROPER DESIGN, INSTALLATION, AND MAINTENANCE.
 B. SOME ROCK OR STONY CONDITIONS WERE FOUND. THIS SOIL SHOULD FUNCTION AS A SUITABLE ABSORPTION FIELD PROVIDING THAT THE SYSTEM IS PUT IN FIRST TO MAKE SURE THERE WILL BE NO ROCK LIMITATIONS. HOLS HAVE BEEN AUGERED TO 72" DEEP WITHOUT REFUSAL. IN THIS UNIT.
 C. DUE TO WATER TABLE, FLOODING, AND DRAINAGE PROBLEMS, THERE IS A HIGH PROBABILITY OF FAILURE FOR CONVENTIONAL SYSTEMS INSTALLED IN THIS SOIL SERIES. YOUR HEALTH DEPARTMENT CAN DISCUSS WITH YOU IF AN ALTERNATIVE SYSTEM MIGHT BE AN OPTION FOR YOUR SITUATION.
 D. DUE TO SURFACE DRAINAGE OR FLOODING PROBLEMS, THESE SOIL TYPES SHOULD BE AVOIDED. SITE ALTERATIONS WHICH CONTROL SURFACE AND/OR SUBSURFACE WATER MAY MAKE THESE AREAS SUITABLE. A FURTHER SOIL STUDY IS RECOMMENDED.
 E. NOMINALLY CONSIDERED UNSUITABLE FOR INSTALLATION OF CONVENTIONAL ABSORPTION FIELDS.
 F. DEPTH TO BEDROCK IS GENERALLY NOT SUFFICIENT TO ACCOMMODATE SEPTIC SYSTEMS. HOWEVER, AREAS OF THIS ROCK MAY BE SUITABLE. ADDITIONAL HAND AUGER BORINGS OR BACKHOE PIT INSPECTIONS MAY REVEAL SUITABLE AREAS WITHIN THIS SERIES.

I CERTIFY THAT THIS IS A LEVEL 3 SOIL REPORT.
 DATE 10/19/20



CERTIFIED SOIL CLASSIFIER

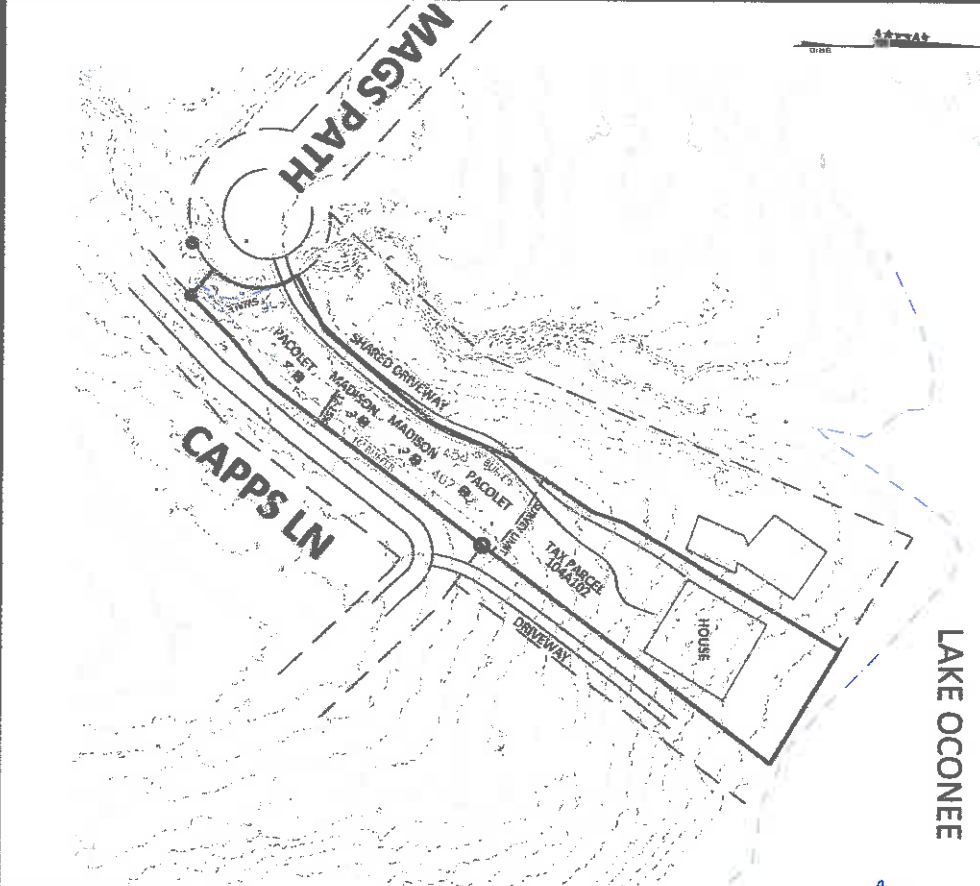
S:\SOILS\SPRAYBERRY, LAUREN - 144 MAGS PATH PUTNAM\SPRAYBERRY, LAUREN - MAGS PATH SOILS BORING October 19, 2020

THE TWO-FOOT CONTIGUOUS INTERVAL, TOPO LINES DEPICTED HERE WERE CREATED FROM 2012 NOAA LIDAR DATA. JORDAN ENGINEERING CANNOT CONFIRM THE DATA ACCURACY.

UNLESS OTHERWISE STATED, PROPERTY BOUNDARY LINES SHOWN HEREON ARE BASED ON TAX PARCEL INFO AND SHOULD BE CONSIDERED APPROXIMATE.

BUILDING CONTRACTOR SHOULD DIRECT ROOF AND SURFACE DRAINAGE AWAY FROM DRAINFIELD AND AVOID SWALES TO PREVENT SYSTEM FAILURE.

SOIL MAP

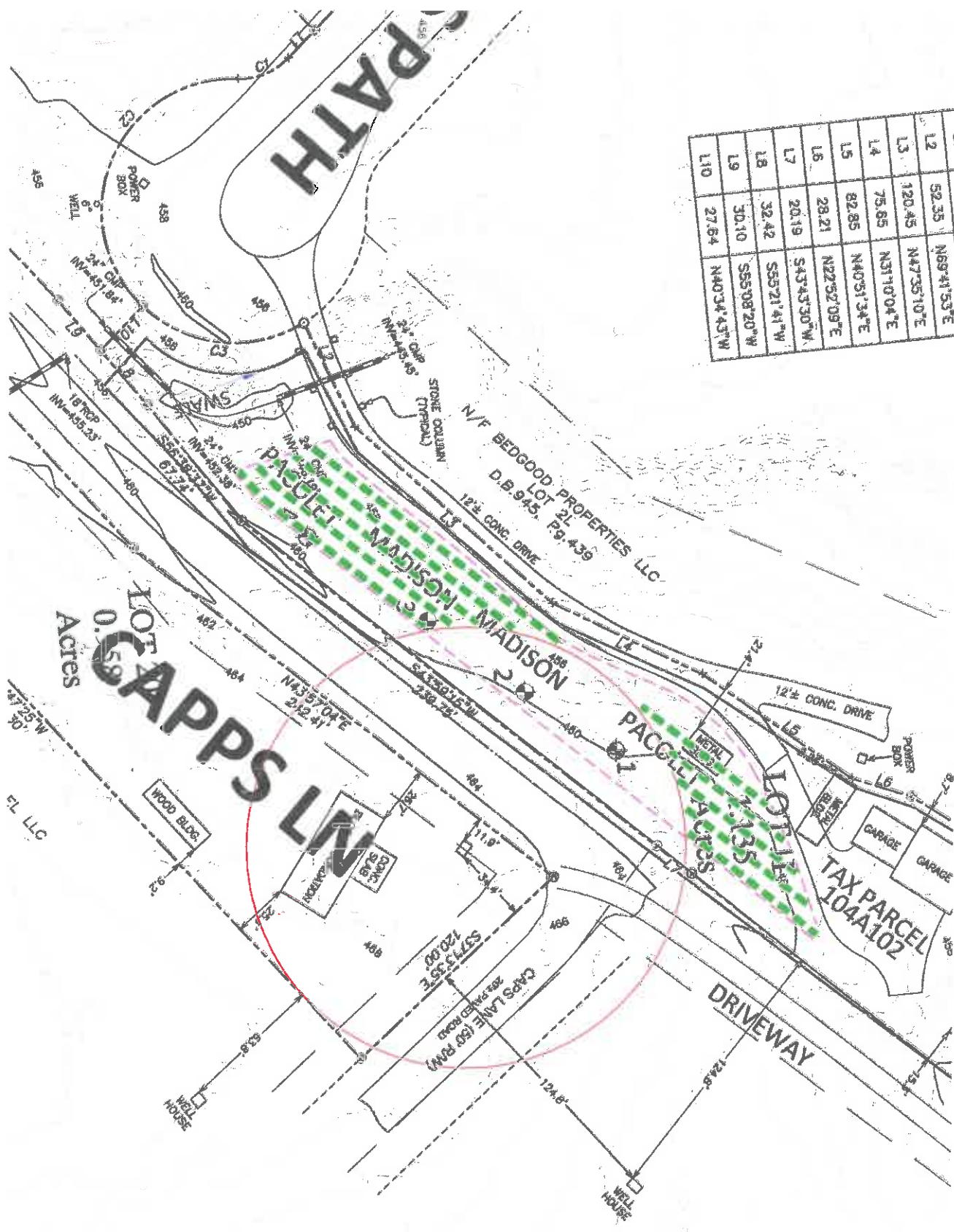


SCALE 1" = 100'

0' 100' 200' 300'

SOILTYPE 3
 SOIL BORING/SERIES
 AT - AUGER REFUSAL DEPTH
 SHWT - SEASONAL HIGH WATER TABLE DEPTH
 WT - SATURATED SOILS ENCOUNTERED

L2	52.35	N69°41'53"E
L3	120.45	N47°35'10"E
L4	75.65	N31°10'04"E
L5	82.85	N40°31'34"E
L6	28.21	N22°57'09"E
L7	20.19	S43°43'30"W
L8	32.42	S59°21'41"W
L9	30.10	S55°08'20"W
L10	27.64	N40°34'43"W



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AE

OUTDOOR SPECIALTY COMPANY, LLC
POOL ACCOUNT

PO BOX 3073
EATONTON, GA 31024

1665

64-1050/11

DATE

4-7-21

CHECK AMOUNT

PAY TO THE ORDER OF

Putnam County Planning

\$ 220.00

DOLLARS

Photo
Print
and
Copy
Check
Covers

FOR

Spearberry Venice

[Signature]

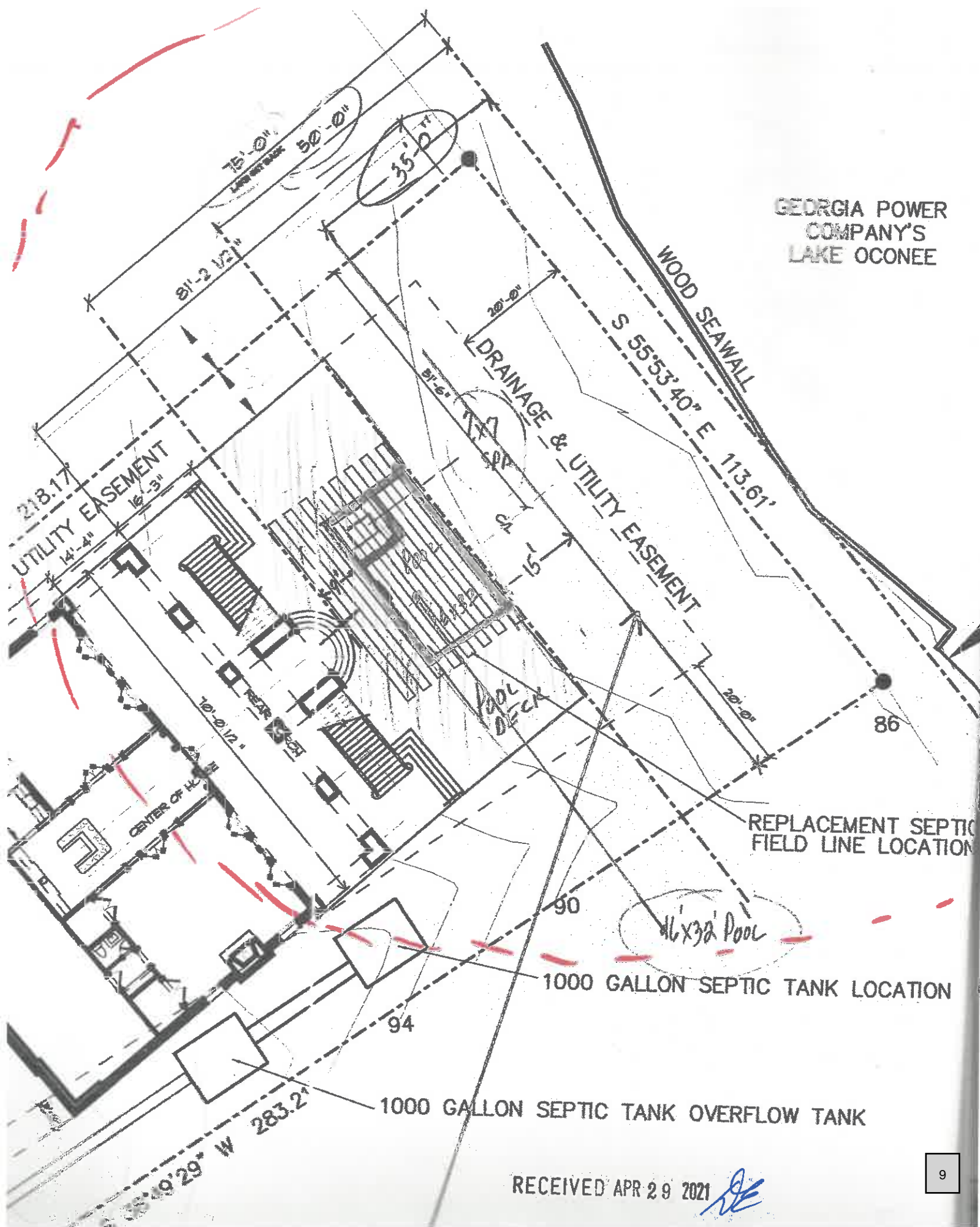
FARMERS & MERCHANTS BANK
EATONTON, GEORGIA & LAKE OCONEE
SINCE 1922

⑆001665⑆ ⑆061110557⑆ 077 317 2⑆

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[Signature]

GEORGIA POWER
COMPANY'S
LAKE OCONEE



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SITE PLAN

SPRAYBERRY RESIDENCE

1" = 20'-0"

HOMEOWNER APPLYING FOR VARIANCE TO ALLOW A SETBACK OF 35' FROM THE SEAWALL TO THE POOL STRUCTURE. THE POOL DECKING WILL BE ON THE HOUSE SIDE AND BOTH ENDS. NOT (THE BACKSIDE "LAKESIDE") THEY WOULD LIKE TO MOVE THE POOL FROM THIS DRAWING 15' TOWARD THE LAKE SIDE TO MEET THE 35' MARK.

* REPAIR FIELD WILL BE MOVED TO THE FRONT OF THE PROPERTY.

THE SPRAYBERRY RESID

147 MAGS PATH, EATONTON, GA. 31024

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NORMAN DAVENPORT ASKINS ARCHITECT, P.A. 2995 LOOKOUT PL NE ATLANTA, 30305 404-233-6561

Letter of Intent and Constitutional Notice

Putnam County, GA

Variance Application

Applicants:

Josh & Lauren Sprayberry

Property:

149 Mags Path

Parcel ID Nos.

104^a 102

Submitted for Applicants by:

G. Douglas Dillard

Jeffrey S. Haymore

DILLARD SELLERS, LLC

1776 Peachtree Street, Suite 415-S

Atlanta, Georgia 30309

(404) 665-1243

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I. Variance Request

Applicants seek a variance from the 100' rear yard setback to build a swimming pool no closer than 35' from the rear property line at their personal residence in the R-1 zoning district.

II. Subject Property

As shown on the zoning map below, 149 Mags Path is a long, narrow irregularly shaped lot. Its legal frontage is off Mags Path, a cul-de-sac street. The Subject Property sits at the end of this cul-de-sac. Unlike all other lots fronting on the north side of Mags Path, the Subject Property also fronts on a second public street, Capps Lane. In fact, the entire western side property line abuts Capps Lane. And, the northern rear property line is Oconee Lake. Thus, the Subject Property's lot characteristics severely limit the ability to locate the pool.

III. Official Zoning Map

As shown below, the Subject Property, like other lakefront properties on Mags Path and Capps Lane, are zoned R-1, which is a single-family residential district.



2
RECEIVED APR 29 2021 *[Signature]*

IV. Zoning

Swimming pools are permitted accessory uses in the R-1 zoning district. Zoning Code Sec. 66-81(d). The required rear yard setback in the R-1 zoning district is normally 20'. However, it is 100' when abutting a lake or river. Zoning Code Sec. 66-82(e)(3).

Accessory structures, with the exception of garages and carports, are permitted in the side or rear yard of any R district. Zoning Code Sec. 66-132(a)(1)(c). However, "private accessory structures such as swimming pools in a residential district shall comply with the minimum side and rear setback requirements of that district. Setback minimums shall be measured from the decking or closest part of the pool structure to the applicable property line." Zoning Code Sec. 66-132(a)(1)(i).

V. Variance Criteria

The Planning and Zoning Commission has delegated zoning power to grant variances from the development and performance standards of Chapter 66 (Zoning Ordinance). Zoning Code Sec. 66-157(c). This power is to be exercised as follows:

(c) *Variances*. The planning and zoning commission shall hear applications for all variances from the development standards and performance standards of this chapter. Such variances may be granted only:

(1) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or

(2) Where by reason of exceptional topographic conditions to include floodplains or other extraordinary or exceptional conditions of a piece of property, strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.

Thus, variances may be granted under one or both of the two criteria listed above.

VI. Applicant's Variance Request Meets Both Variance Criteria

Approval of the variance is warranted here under either of the applicable variance criteria.

Criteria # 1: Exceptionally Narrow Lot of Record

The variance requested meets criteria # 1. The Subject Property possesses exceptional narrowness, which lot was platted of record when the zoning ordinance was adopted in 2007. The

Subject Property was platted on February 3, 2005 and recorded at Plat Book 29, Page 94 as Lot 1L. See **Exhibit "A"** attached hereto.

Criteria # 2: Hardship

The variance requested meets criteria # 2. The Subject Property possesses exception conditions in the form of lot narrowness, multiple street frontages and poor soils in some spots such that strict application of the 100' rear setback imposes undue hardship upon Applicants by preventing them from incorporating a swimming pool, a permitted accessory use in the R-1 single-family residential district, anywhere on the Subject Property. These exceptional conditions are not result of the acts of the Applicants but conditions inherent in the Subject. Granting relief from the 100' rear setback via the requested variance will not substantially impair the intent and purpose of the zoning ordinance, but rather would further the intent and purpose of the ordinance which, among other things, is provide stable and appreciating property values by encouraging single-family residential homes and accessory uses, such as swimming pools, that re-enforce such desirable living conditions. In fact, at least three existing lakefront homes on Mags Path enjoy swimming pools which are each located between the homes and Lake Oconee's waterline. See **Exhibit "B"** attached hereto.

The needed swimming pool location will be no closer Lake Oconee than the adjacent residence at 147 Mags Path. See **Exhibit "C"** attached hereto. Locating the swimming pool elsewhere on the Subject Property is not physically or legally possibly. Physically, the Applicants' soil experts have tested the soil and determined the soils on other portions of the property are not conducive to constructing a below-ground swimming pool. Legally, the Zoning Ordinance permits accessory structures in the side or rear yard of any R district. Zoning Code Sec. 66-132(a)(1)(c).

VII. Constitutional Notice

Georgia law and the procedures of Putnam County require us to raise Federal and State constitutional objections during the rezoning application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Putnam County Zoning Ordinance, facially and as applied to the Property, which restrict the Property to any uses, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Putnam County Zoning Ordinance, facially and as applied to the Property, which restricts the Property to any uses, or to any zoning classification other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of



the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Putnam County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the rezoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by Putnam County Planning and Zoning Commission to grant this variance application in accordance with the criteria requirements as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any grant of variance of the Property subject to conditions without the Applicants' consent, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

For all the foregoing reasons, it is submitted on behalf of the Applicant that the variance application meets the requirements of the Putnam County Zoning Ordinance

Standing Objection

The Applicant further objects to the standing of each and every surrounding resident to challenge, whether before the Commission or any court of competent jurisdiction, any zoning decision by the Commission in that he/she has not shown, nor can show, that he/she will suffer special damages within the meaning of Georgia law as a result of said decision. The Applicant raises this objection before the Commission and requests the Commission to determine the standing of any individual who challenges or objects to the Commission's decision to rezone the Property. Applicant further raises this objection before the Commission to preserve said objection on appeal, if any, to any court of competent jurisdiction.

VIII. Conclusion

For the foregoing reasons, the Applicants respectfully request that this variance application be granted as requested by the Applicants. If there are any questions about this rezoning request, you may contact me at 404-665-1243 or jhaymore@dillardsellers.com

Sincerely,

Dillard Sellers

G. Douglas Dillard
Jeffrey S. Haymore

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Handwritten signature

Letter of Intent and Constitutional Notice

Putnam County, GA

Variance Application

Applicants:

Josh & Lauren Sprayberry

Property:

149 Mags Path

Parcel ID Nos.

104A 102

April 27, 2021

Submitted for Applicants by:

G. Douglas Dillard

Jeffrey S. Haymore

DILLARD SELLERS, LLC

1776 Peachtree Street, Suite 415-S

Atlanta, Georgia 30309

(404) 665-1243

I. Variance Request

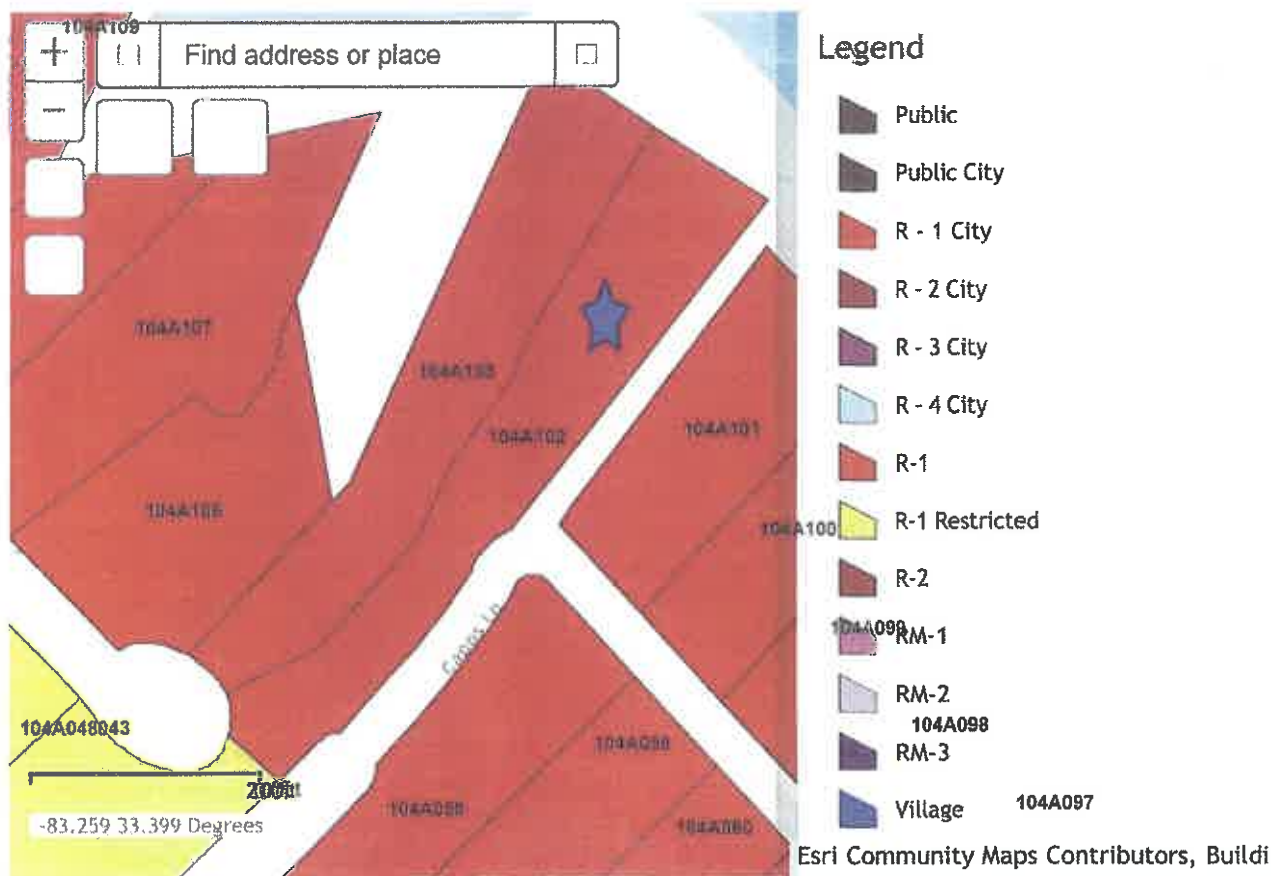
Applicants seek a variance from the 100' rear yard setback to build a swimming pool no closer than 35' from the rear property line at their personal residence in the R-1 zoning district.

II. Subject Property

As shown on the zoning map below, 149 Mags Path is a long, narrow irregularly shaped lot. Its legal frontage is off Mags Path, a cul-de-sac street. The Subject Property sits at the end of this cul-de-sac. Unlike all other lots fronting on the north side of Mags Path, the Subject Property also fronts on a second public street, Capps Lane. In fact, the entire western side property line abuts Capps Lane. And, the northern rear property line is Oconee Lake. Thus, the Subject Property's lot characteristics severely limit the ability to locate the pool.

III. Official Zoning Map

As shown below, the Subject Property, like other lakefront properties on Mags Path and Capps Lane, are zoned R-1, which is a single-family residential district.



IV. Zoning

Swimming pools are permitted accessory uses in the R-1 zoning district. Zoning Code Sec. 66-81(d). The required rear yard setback in the R-1 zoning district is normally 20'. However, it is 100' when abutting a lake or river. Zoning Code Sec. 66-82(e)(3).

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V. Variance Criteria

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(1) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; **or**

(2) Where by reason of exceptional topographic conditions to include floodplains or other extraordinary or exceptional conditions of a piece of property, strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.

Thus, variances may be granted under one **or** both of the two criteria listed above.

VI. Applicant's Variance Request Meets Both Variance Criteria

Approval of the variance is warranted here under either of the applicable variance criteria.

Criteria # 1: Exceptionally Narrow Lot of Record

The variance requested meets criteria # 1. The Subject Property possesses exceptional narrowness, which lot was platted of record when the zoning ordinance was adopted in 2007. The Subject Property was platted on February 3, 2005 and recorded at Plat Book 29, Page 94 as Lot 1L. See **Exhibit "A"** attached hereto.

Criteria # 2: Hardship

The variance requested meets criteria # 2. The Subject Property possesses exception conditions in the form of lot narrowness, multiple street frontages and poor soils in some spots such that strict application of the 100' rear setback imposes undue hardship upon Applicants by preventing them from incorporating a swimming pool, a permitted accessory use in the R-1 single-family residential district, anywhere on the Subject Property. These exceptional conditions are not result of the acts of the Applicants but conditions inherent in the Subject. Granting relief from the 100' rear setback via the requested variance will not substantially impair the intent and purpose of the zoning ordinance, but rather would further the intent and purpose of the ordinance which, among other things, is provide stable and appreciating property values by encouraging single-family residential homes and accessory uses, such as swimming pools, that re-enforce such desirable living conditions. In fact, at least three existing lakefront homes on Mags Path enjoy swimming pools which are each located between the homes and Lake Oconee's waterline. See **Exhibit "B"** attached hereto.

The needed swimming pool location will be no closer Lake Oconee than the adjacent residence at 147 Mags Path. See **Exhibit "C"** attached hereto. Locating the swimming pool

elsewhere on the Subject Property is not physically or legally possible. Physically, there is no room to put a pool between Mags Path and the residential structure because the septic system is located in that area and the residential structure would otherwise block sunlight to the pool in that area. And as mentioned previously, at least three existing lakefront homes on Mags Path enjoy swimming pools which are each located between the homes and Lake Oconee's waterline. Legally, the Zoning Ordinance permits accessory structures in the side or rear yard of any R district. Zoning Code Sec. 66-132(a)(1)(c).

Because of these exceptional conditions, imposition of the 100' rear yard setback imposes an undue hardship upon Applicants, which difficulty or hardship is not the result of acts of the Applicants and the approval of the variance to a 35' rear yard setback will not substantially impair the intent and purpose of the Zoning Ordinance and is not contrary to the public welfare.

VII. Constitutional Notice

Georgia law and the procedures of Putnam County require us to raise Federal and State constitutional objections during the rezoning application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Putnam County Zoning Ordinance, facially and as applied to the Property, which restrict the Property to any uses, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Putnam County Zoning Ordinance, facially and as applied to the Property, which restricts the Property to any uses, or to any zoning classification other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Putnam County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the rezoning request would

lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by Putnam County Planning and Zoning Commission to grant this variance application in accordance with the criteria requirements as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any grant of variance of the Property subject to conditions without the Applicants' consent, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

For all the foregoing reasons, it is submitted on behalf of the Applicant that the variance application meets the requirements of the Putnam County Zoning Ordinance

Standing Objection


The Applicant further objects to the standing of each and every surrounding resident to challenge, whether before the Commission or any court of competent jurisdiction, any zoning decision by the Commission in that he/she has not shown, nor can show, that he/she will suffer special damages within the meaning of Georgia law as a result of said decision. The Applicant raises this objection before the Commission and requests the Commission to determine the standing of any individual who challenges or objects to the Commission's decision to rezone the Property. Applicant further raises this objection before the Commission to preserve said objection on appeal, if any, to any court of competent jurisdiction.

VIII. Conclusion

For the foregoing reasons, the Applicants respectfully request that this variance application be granted as requested by the Applicants. If there are any questions about this variance request, you may contact me at 404-665-1243 or jhaymore@dillardsellers.com

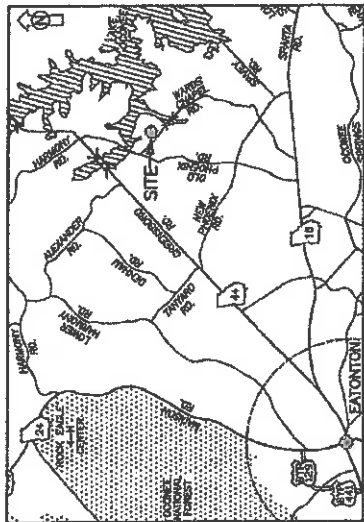
Sincerely,

Dillard Sellers



G. Douglas Dillard
Jeffrey S. Haymore

CHAPEL SPRINGS



LOCATION MAP
NOT TO SCALE

SETBACK INFORMATION	
FRONT SETBACK (FRONT YARD)	20'
REAR SETBACK (REAR YARD)	20'
SIDE SETBACK (SIDE YARD)	20'
MINIMUM SETBACK (MINIMUM SETBACK)	20'

LOT INFORMATION

TOTAL NUMBER OF LOTS = 80
 LARGEST LOT = 0.44 ACRES (10,100 SQ FT)
 SMALLEST LOT = 0.08 ACRES (1,740 SQ FT)
 AREA IN LOTS = 84.12 ACRES
 AREA IN WELL LOTS = 0.12 ACRES
 TOTAL AREA = 84.24 ACRES

PROPOSED UTILITIES

WATER: COMMUNITY WATER SYSTEMS
 SEWER: COMMUNITY SEWER SYSTEMS
 POWER: GEORGIA POWER
 PHONE: BELL SOUTH

REVISIONS

NO.	DATE	COMMENTS

JOHN A. MCGILL, P.E.
 Land Surveying • Land Planning
 The Georgia Land Surveyors' Board, No. 2887
 Peachtree City, Georgia 30269
 Phone (770) 482-1114
 Fax (770) 482-1114

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED BY THE SURVEYOR IN THE FIELD AND IS SUBJECT TO THE USUAL VARIATIONS OF FIELD SURVEYING. THE SURVEYOR HAS MADE A REASONABLE ATTEMPT TO LOCATE ALL CORNERS AND TO MEASURE ALL DISTANCES ACCURATELY. THE SURVEYOR HAS MADE A REASONABLE ATTEMPT TO LOCATE ALL CORNERS AND TO MEASURE ALL DISTANCES ACCURATELY. THE SURVEYOR HAS MADE A REASONABLE ATTEMPT TO LOCATE ALL CORNERS AND TO MEASURE ALL DISTANCES ACCURATELY.

GENERAL NOTES

1. EACH LOT IS TO BE SERVICED BY AN INDIVIDUAL SEPTIC SYSTEM.
2. NEARBY APPROPRIATE INSPECTORS MUST BE NOTIFIED PRIOR TO CONSTRUCTION.
3. ALL INDIVIDUAL SEPTIC AND URINAL FELD LOCATIONS ARE SUBJECT TO APPROVAL BY THE PUTNAM COUNTY HEALTH DEPARTMENT PRIOR TO CONSTRUCTION.
4. LOT OWNERS ARE REQUIRED TO OBTAIN SITE AND CONSTRUCTION APPROVAL FROM THE PUTNAM COUNTY HEALTH DEPARTMENT PRIOR TO CONSTRUCTION.
5. ALL UTILITIES ARE TO BE SERVICED BY AN COMMUNITY WELL.
6. A 20' DRAINAGE/UTILITY EASEMENT IS CENTERED ON ALL INTERIOR PROPERTY LINES.
7. A 20' DRAINAGE/UTILITY EASEMENT IS CENTERED ON ALL INTERIOR PROPERTY LINES.
8. PROPERTY LINES/UTILITY EASEMENT IS LOCATED ALONG ALL EXTERIOR PROPERTY LINES.
9. ALL UTILITIES ARE NOT DEPICTED ON THIS PLAT.
10. THIS PLAT IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND OTHER INTERESTS OF RECORD.
11. THIS SURVEY IS BASED ON INFORMATION PROVIDED BY THE CLIENT. THIS SURVEY IS NOT BASED ON A TITLE CURATIVE SURVEY.
12. THE SURVEYOR HAS MADE A REASONABLE ATTEMPT TO LOCATE ALL CORNERS AND TO MEASURE ALL DISTANCES ACCURATELY.
13. CURRENT ZONING STATUS IS R-1-10.
14. THE PLAT COMPARES TO THE GEORGIA PLAT ACT.
15. THE PLAT COMPARES TO THE GEORGIA PLAT ACT.
16. THE PLAT COMPARES TO THE GEORGIA PLAT ACT.
17. PROPOSED PROPERTY LINES IS RESIDENTIAL.
18. THE PLAT COMPARES TO THE GEORGIA PLAT ACT.
19. THE PLAT COMPARES TO THE GEORGIA PLAT ACT.
20. THE PLAT COMPARES TO THE GEORGIA PLAT ACT.

REFERENCES

- PLAT BOOK 13, PAGE 148
- PLAT BOOK 13, PAGE 149
- PLAT BOOK 13, PAGE 150
- PLAT BOOK 13, PAGE 151
- PLAT BOOK 13, PAGE 152
- PLAT BOOK 13, PAGE 153
- PLAT BOOK 13, PAGE 154
- PLAT BOOK 13, PAGE 155
- PLAT BOOK 13, PAGE 156
- PLAT BOOK 13, PAGE 157
- PLAT BOOK 13, PAGE 158
- PLAT BOOK 13, PAGE 159
- PLAT BOOK 13, PAGE 160
- PLAT BOOK 13, PAGE 161
- PLAT BOOK 13, PAGE 162
- PLAT BOOK 13, PAGE 163
- PLAT BOOK 13, PAGE 164
- PLAT BOOK 13, PAGE 165
- PLAT BOOK 13, PAGE 166
- PLAT BOOK 13, PAGE 167
- PLAT BOOK 13, PAGE 168
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- PLAT BOOK 13, PAGE 171
- PLAT BOOK 13, PAGE 172
- PLAT BOOK 13, PAGE 173
- PLAT BOOK 13, PAGE 174
- PLAT BOOK 13, PAGE 175
- PLAT BOOK 13, PAGE 176
- PLAT BOOK 13, PAGE 177
- PLAT BOOK 13, PAGE 178
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- PLAT BOOK 13, PAGE 193
- PLAT BOOK 13, PAGE 194
- PLAT BOOK 13, PAGE 195
- PLAT BOOK 13, PAGE 196
- PLAT BOOK 13, PAGE 197
- PLAT BOOK 13, PAGE 198
- PLAT BOOK 13, PAGE 199
- PLAT BOOK 13, PAGE 200

PROJECT TITLE: CHAPEL SPRINGS
OWNER/DEVELOPER: SAMMONS & MCMICHAEL, L.L.C.
CONTACT: HOWARD MCMICHAEL, JR.
ADDRESS: 3080 W. GARDEN LANE, GAITHERSBURG, GEORGIA 31024
PHONE: 770-485-1778

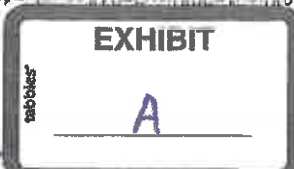
FINAL SUBDIVISION PLAT OF:

CHAPEL SPRINGS
LAND LOTS 312 & 329
3rd. LAND DISTRICT, 308th. C.M.D.
PUTNAM COUNTY, GEORGIA

SURVEY DATE	FEBRUARY 26, 2003
DRAFTING DATE	JANUARY 31, 2005
MAP CLOSURE	1/30/05
DRAWN BY	F.S.C. / J.T.A.
JOB NO.	G5004-21
SHEET NO.	1 OF 7

PUTNAM COUNTY, GEORGIA
 CLERK OF SUPERIOR COURT
 THE COURT HOUSE
 CHAPEL HILL, GEORGIA 31005

2-1-05



Future development is subject to future subdivision and development as determined by the developer.

OWNERS CERTIFICATION

The exact of this land, as shown on this plat, or its exact acreage, as shown on this plat, was made from an actual survey, and I hereby certify that the proposed subdivision and the requirements of the Putnam County Health Department. These lots are approved for single lot subdivision are (if any).

Date: _____
 Owner (or Agent): _____

CERTIFICATION OF APPROVAL OF WATER SYSTEM AND SEWER SYSTEM

I hereby certify that the proposed water system and sewer system of this subdivision meet the requirements of the Putnam County Health Department. These lots are approved for single lot subdivision are (if any).

Date: _____
 Signature: _____
 Designer: _____

CERTIFICATION OF APPROVAL OF STREETS AND UTILITIES

I hereby certify that the proposed streets and utilities in the subdivision meet all the requirements of the County and the Subdivision Regulations of Putnam County.

Date: _____
 Signature: _____
 Designer: _____

FINAL PLAT APPROVAL

We hereby certify that this plat and attached subdivision plans were approved by the Putnam County Planning and Zoning Commission on this day of _____, 2005, at the meeting held at the Putnam County Courthouse, Putnam County, Georgia.

Date: _____
 Chairman, Planning Board: _____
 Chairman, Zoning Board: _____

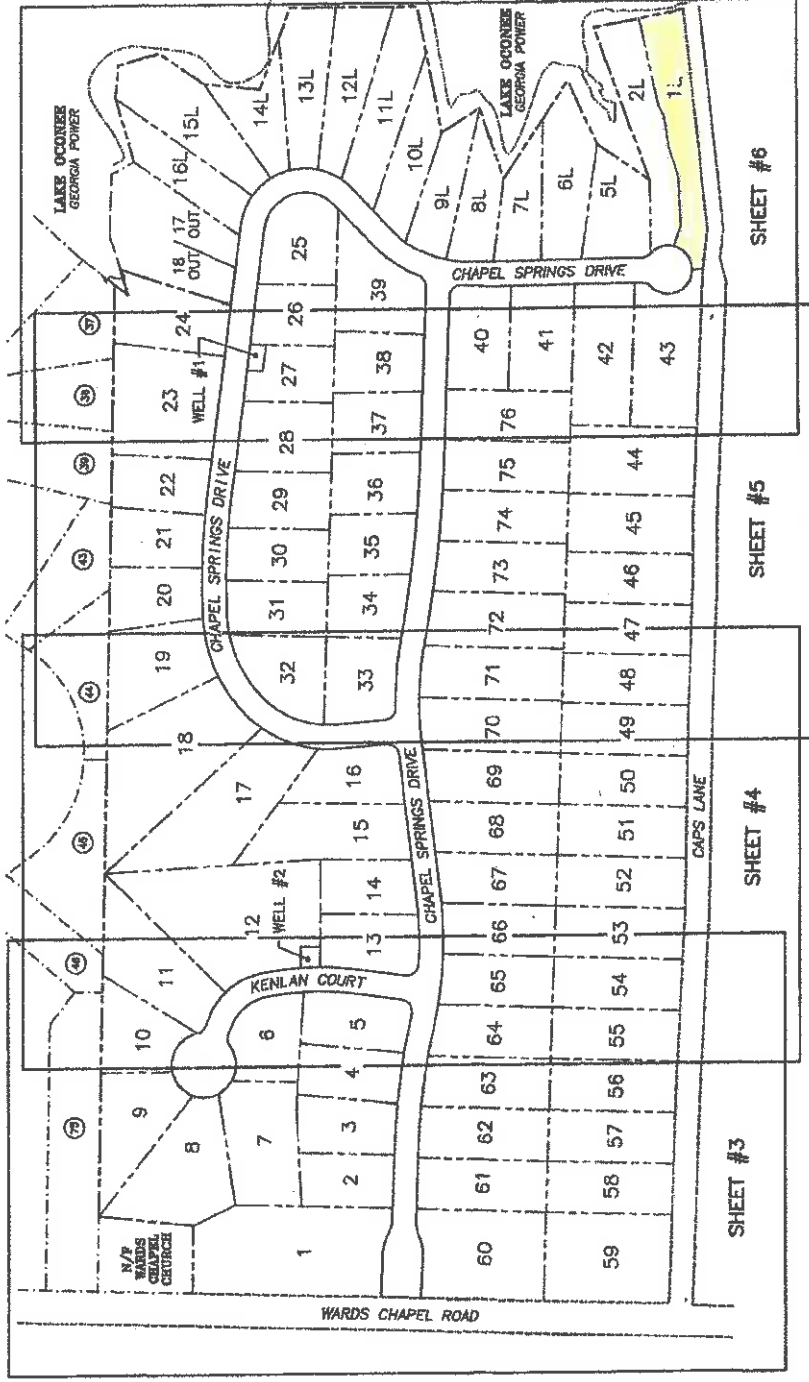
CERTIFICATION OF DESIGNER OF OWNERSHIP

I (we) hereby certify that I (we) accept the plan of subdivision, establish the minimum building setback lines, and the location of streets and other designated areas to public use.

Date: _____
 Owner (or Agent): _____



SHEET INDEX



PUTNAM COUNTY, GEORGIA
 CLERK OF SUPERIOR COURT
 TRUSTEE
 CHIEF CLERK
 J. J. [Signature]
 2005



JOHN A. MORGAN, P.C.
 Land Surveying • Land Planning
 1001 North Main Street, 10th Floor
 Tallahassee, Florida 32301
 Phone (904) 224-1114
 Fax (904) 224-1118
 www.jamorgan.com
 Putnam County, Georgia
 Final Plat 2005-02-28

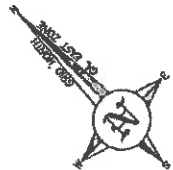
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLARIFIED PROFESSION OF ONE OF THE FOLLOWING: SURVEYING, ENGINEERING, ARCHITECTURE, OR LAND SURVEYING. THIS PLAT WAS ADJUSTED USING THE METHOD OF LEAST SQUARES. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF. THIS PLAT IS SUBJECT TO A JUDICIAL REVIEW.

FINAL SUBDIVISION PLAT OF:
CHAPEL SPRINGS
 LAND LOTS 312 & 329
 3rd. LAND DISTRICT, 308th C.M.D.
 PUTNAM COUNTY, GEORGIA

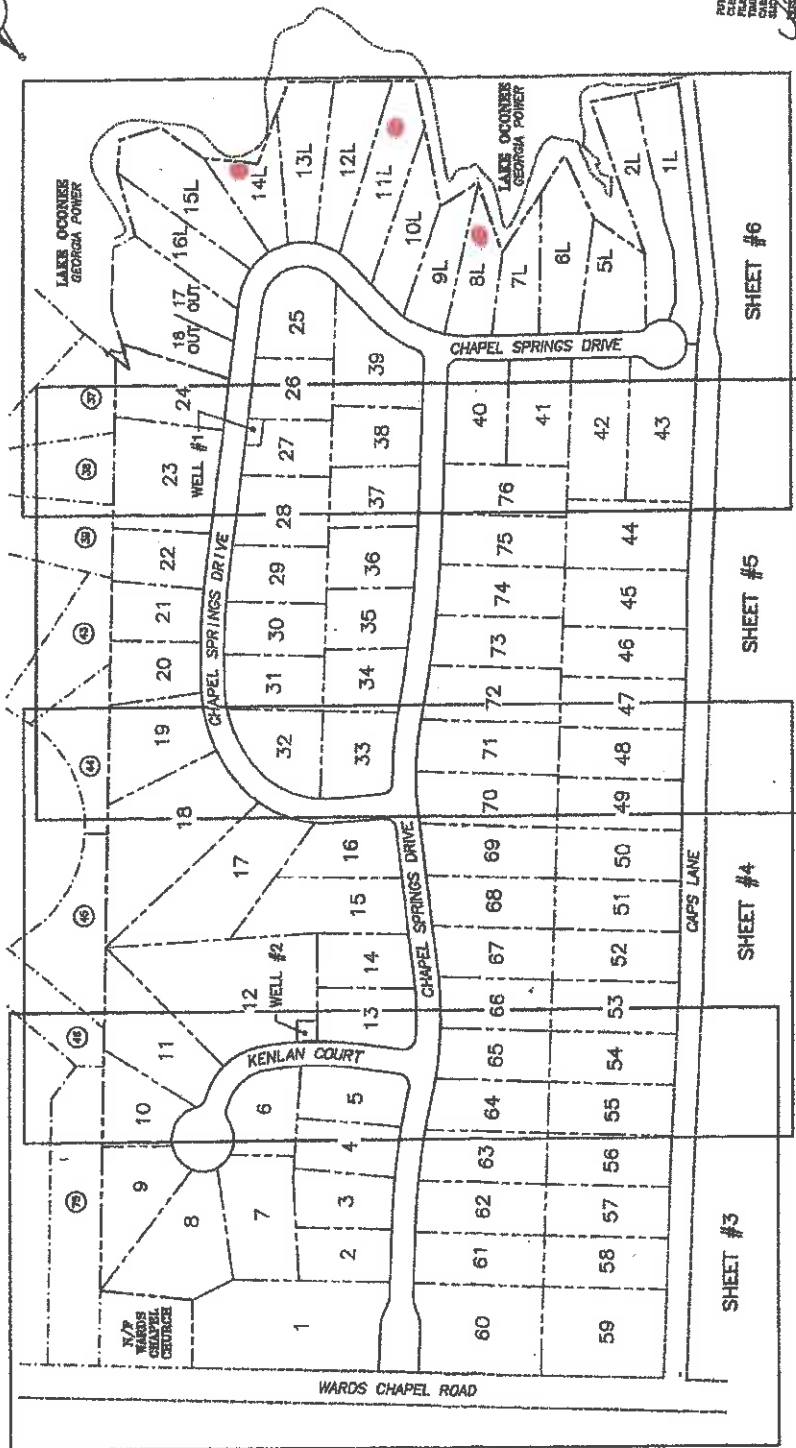
2005 FEB 28 11:00 AM
 JOHN A. MORGAN, P.C.
 2005

SURVEY DATE FEBRUARY 28, 2005
 DRAFTING DATE JANUARY 31, 2005
 MAP CLOSURE 1/26/2005
 DRAWN BY F.C.C. / J.T.A.
 JOB NO. C0300-21
 SHEET NO. 2 OF 7

EXHIBIT
B



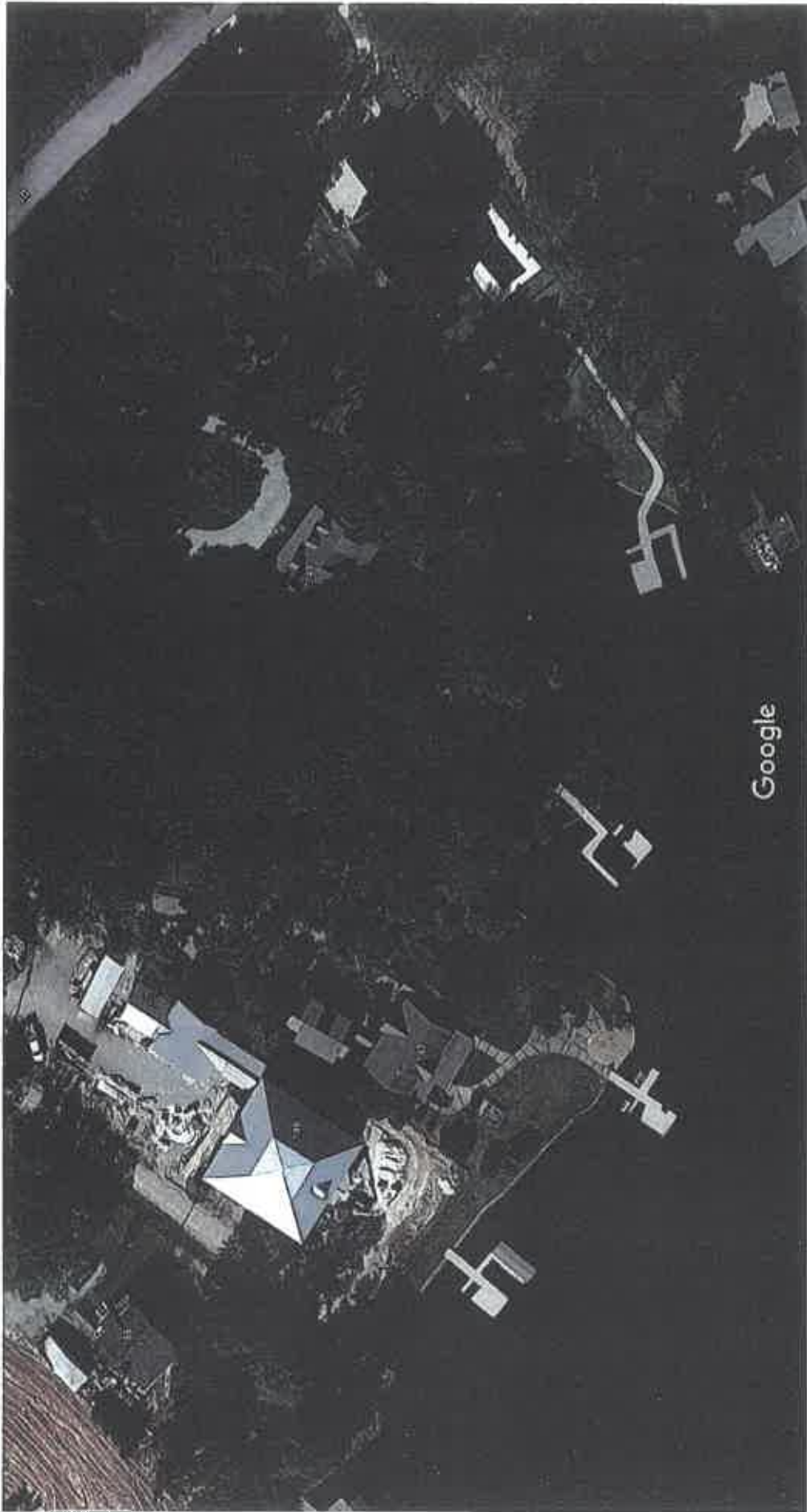
SHEET INDEX



PUTNAM COUNTY, GEORGIA
 CLERK OF SUPERIOR COURT
 JOHN A. MCGILL, P.C.
 2005 FEB 28 10:51 AM
 2005



 JOHN A. MCGILL, P.C. CLERK OF SUPERIOR COURT PUTNAM COUNTY, GEORGIA 2005 FEB 28 10:51 AM 2005	Z-105 5/1/05	SURVEY DATE: FEBRUARY 28, 2003 DRAFTING DATE: JANUARY 31, 2003 MAP CLOSURE: 1/26/2005 DRAWN BY: P.G.C. / J.T.A. JOB NO.: G3030-21 SHEET NO.: 2 OF 7	FINAL SUBDIVISION PLAT OF: CHAPEL SPRINGS LAND LOTS 312 & 329 3rd LAND DISTRICT, 808th G.M.D. PUTNAM COUNTY, GEORGIA
THE FIELD DATA UPON WHICH THIS MAP IS BASED HAS BEEN CHECKED AND FOUND TO BE CORRECT AND ACCURATE. THE SURVEYOR HAS BEEN ADVISED OF THE RIGHTS AND OBLIGATIONS OF A SURVEYOR UNDER THE PROFESSIONAL ACT AND HAS AGREED TO BE BOUND BY THE PROVISIONS OF SAID ACT AND TO BE SUBJECT TO THE DISCIPLINARY PROCEEDINGS OF THE BOARD OF SURVEYING AND MAPPING.		JOHN A. MCGILL, P.C. Land Surveying & Land Planning The Stone Institute, 815 1st St. Putnam County, Georgia 30452 Phone: (706) 222-7111 Fax: (706) 222-7112 www.stoneinstitute.com Surveyor License No. 10000 Putnam County, Georgia 2005 FEB 28 10:51 AM 2005	



Imagery ©2021 Google, Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021

5

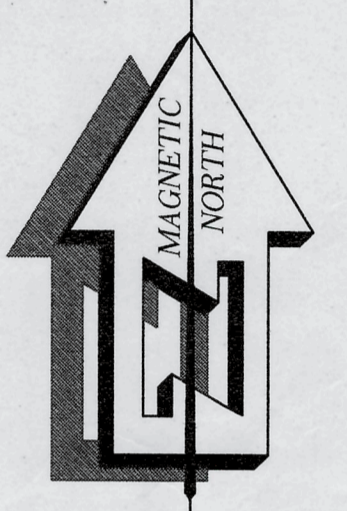
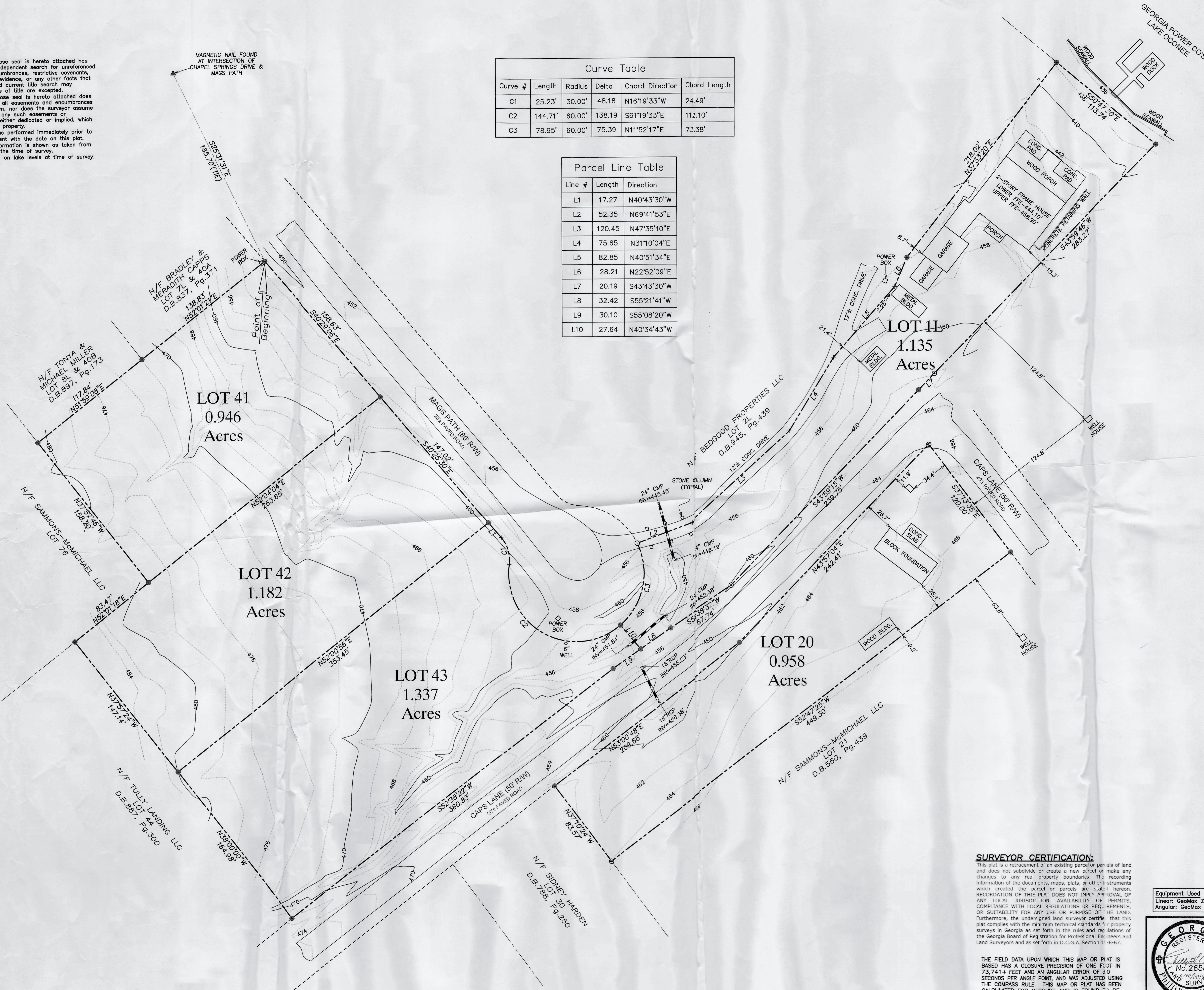


NOTES:

- 1) The surveyor whose seal is hereto attached has not made an independent search for unreferenced easements, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. Matters of title are excepted.
- 2) The surveyor whose seal is hereto attached does not certify that all easements and encumbrances have been shown, nor does the surveyor assume any liability for any such easements or encumbrances, either dedicated or implied, which may affect this property.
- 3) The fieldwork was performed immediately prior to and/or concurrent with the date on this plat.
- 4) The adjoining information is shown as taken from tax records at the time of survey.
- 5) Elevations based on lake levels at time of survey.

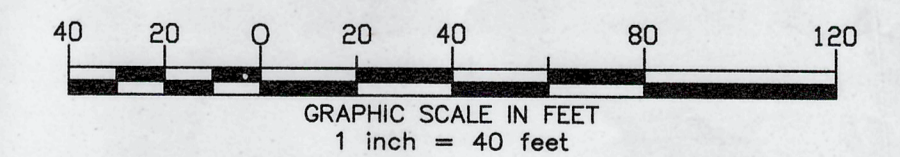
Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	25.23'	30.00'	48.18	N16°19'33"W	24.49'
C2	144.71'	60.00'	138.19	S61°19'33"E	112.10'
C3	78.95'	60.00'	75.39	N11°52'17"E	73.38'

Parcel Line Table		
Line #	Length	Direction
L1	17.27	N40°43'30"W
L2	52.35	N69°41'53"E
L3	120.45	N47°35'10"E
L4	75.65	N31°10'04"E
L5	82.85	N40°51'34"E
L6	28.21	N22°52'09"E
L7	20.19	S43°43'30"W
L8	32.42	S55°21'41"W
L9	30.10	S55°08'20"W
L10	27.64	N40°34'43"W



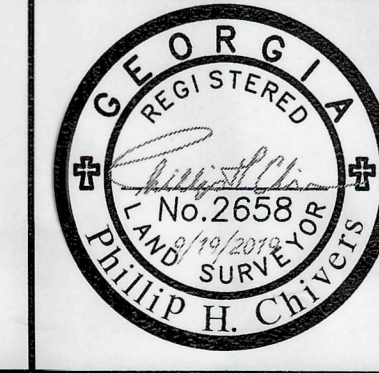
- LEGEND:**
- -3/8" IRON PIN FOUND (IPF)
 - -1/2" IRON PIN FOUND (IPF)
 - -1" IRON PIPE FOUND (IPPF)
 - ⊙ MASONRY NAIL SET
 - MARK IN CONCRETE FOUND
 - ⊙ COMPUTED POINT
 - ⊙ UTILITY POLE
 - OVERHEAD POWER LINE
 - - - - - RIGHT OF WAY LINE
 - — — — — PROPERTY LINE

- REFERENCES:**
- D.B. 936, PG. 329
 - D.B. 861, PG. 148
 - D.B. 853, PG. 799
 - P.B. 20, PG. 21
 - P.B. 34, PG. 236
 - CLERK OF SUPERIOR COURT PUTNAM COUNTY, GEORGIA

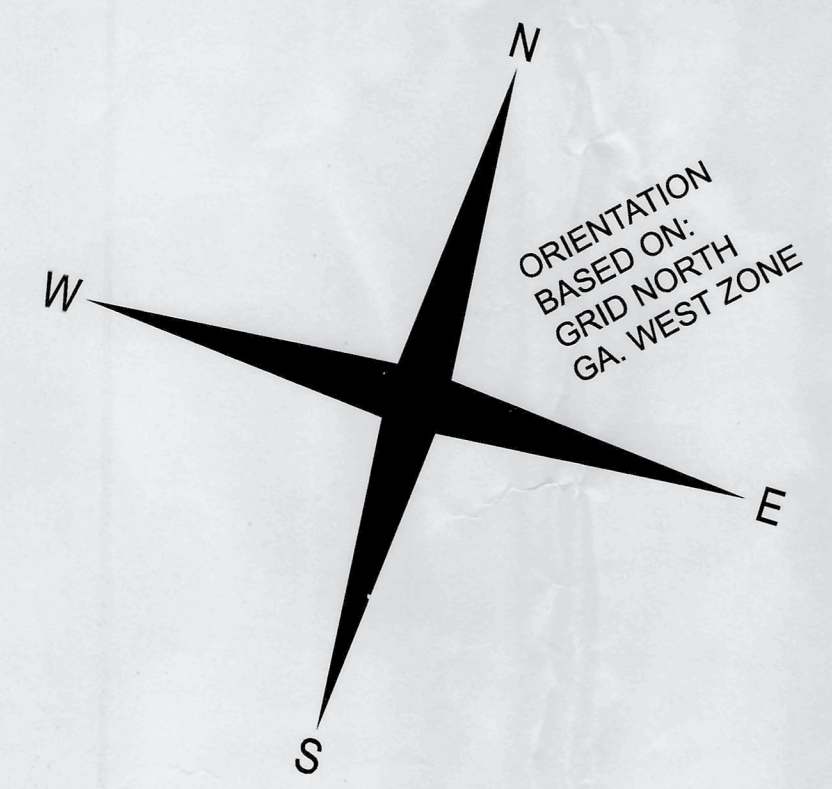


SURVEYOR CERTIFICATION:
 This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels 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 Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 31-6-67.

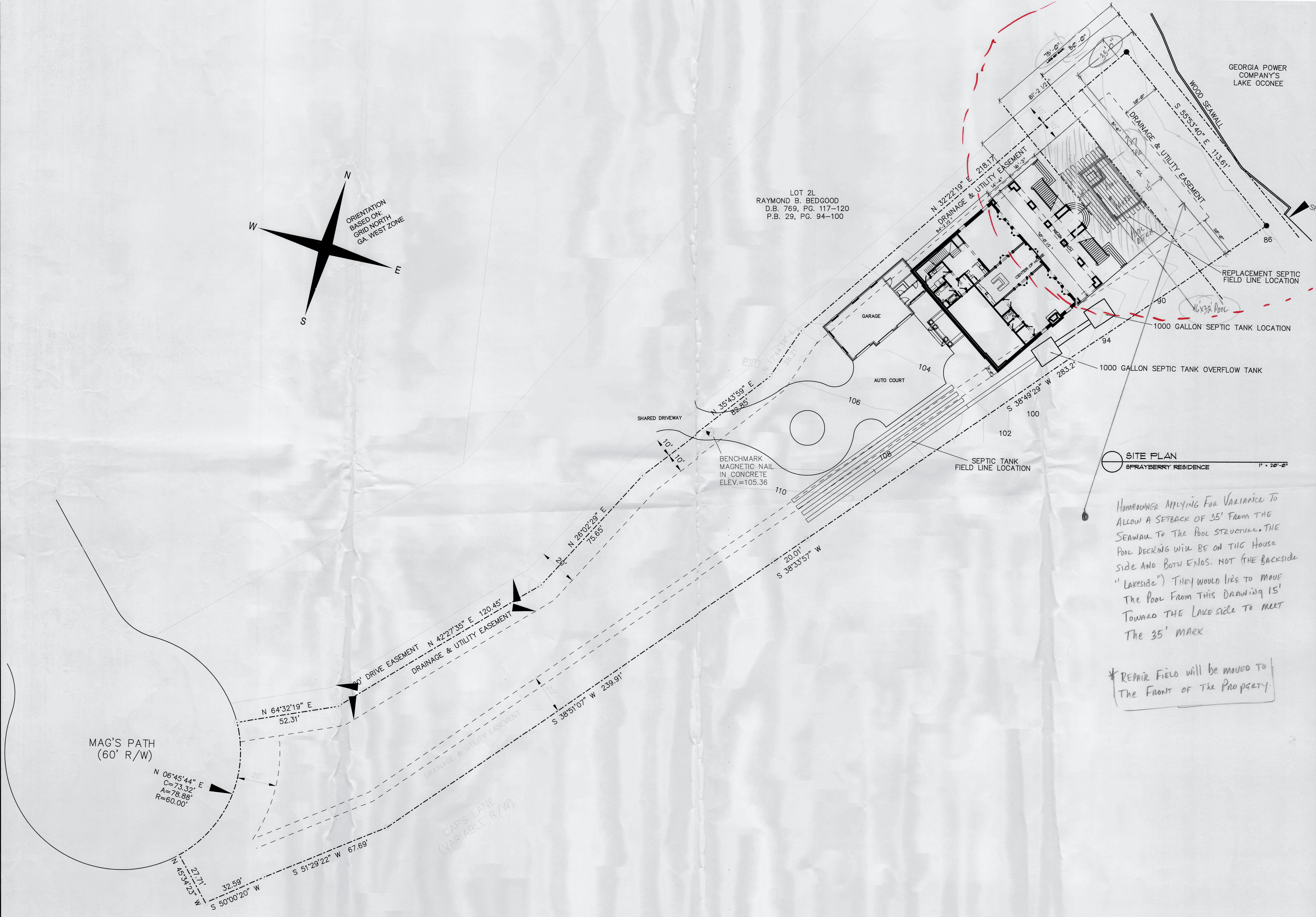
Equipment Used
 Linear: GeoMax Zoom90
 Angular: GeoMax Zoom90



Topographic & As-Built Survey
 FOR:
Josh Sprayberry
 Lots 1L, 41, 42 & 43 of "Chapel Springs" Subdivision & Lot 20 of L.A. Copelan Subdivision, located in the 308th G. M. District, Putnam County, Georgia
 SCALE: 1" = 40' | September 13, 2019
Ogletree & Chivers Land Surveyors
 693 Dunlap Rd., Suite B Milledgeville, GA 31061 478-453-3454



LOT 2L
RAYMOND B. BEDGOOD
D.B. 769, PG. 117-120
P.B. 29, PG. 94-100



SITE PLAN
SPRAYBERRY RESIDENCE 1" = 20'-0"

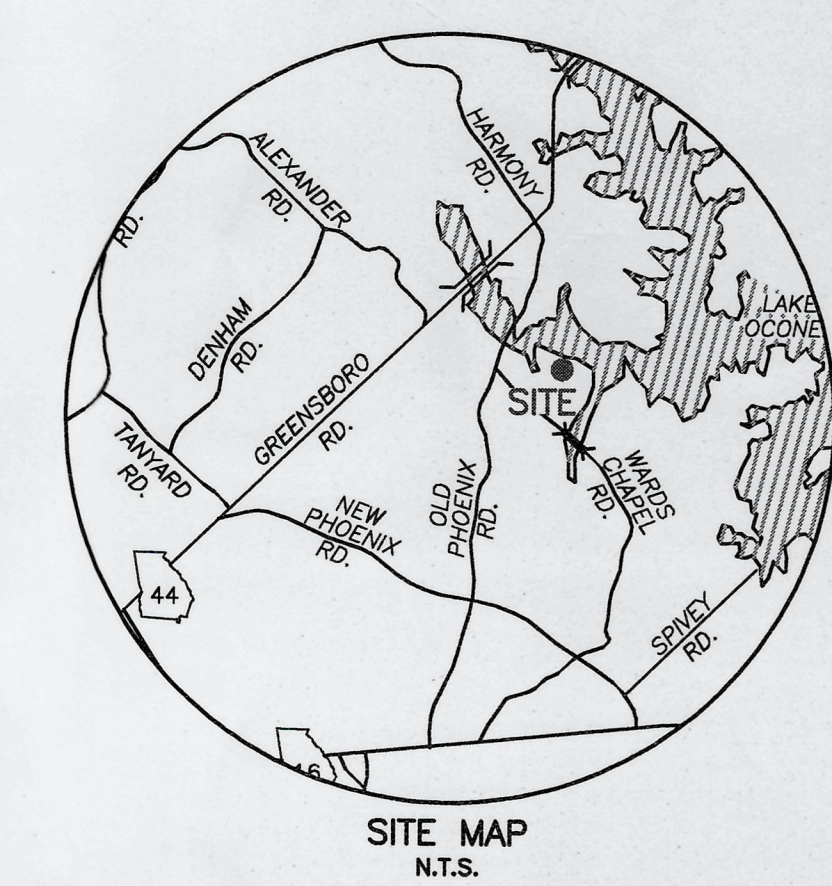
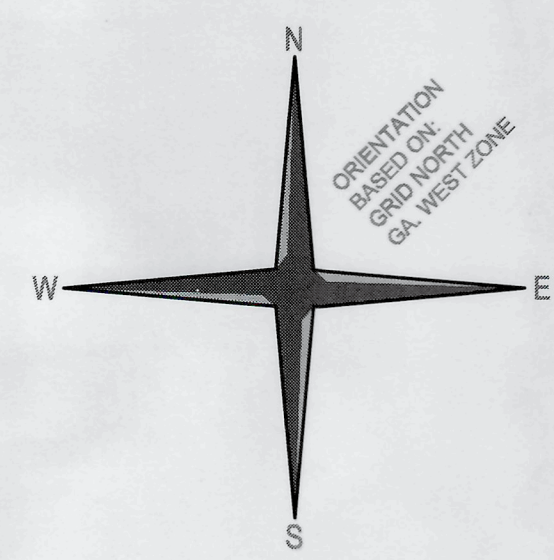
Homeowner Applying For Variance To Allow A Setback Of 35' From The Seawall To The Pool Structure. The Pool Decking Will Be On The House Side And Both Ends. Not The Backside "Lakeside" They Would Like To Move The Pool From This Drawing 15' Toward The Lake Side To Meet The 35' Mark

* Repair Field will be moved to The Front of The Property.

MAG'S PATH (60' R/W)

N 06°45'44" E
C=73.32'
A=78.88'
R=60.00'

CAPS LANE (VARIABLE R/W)



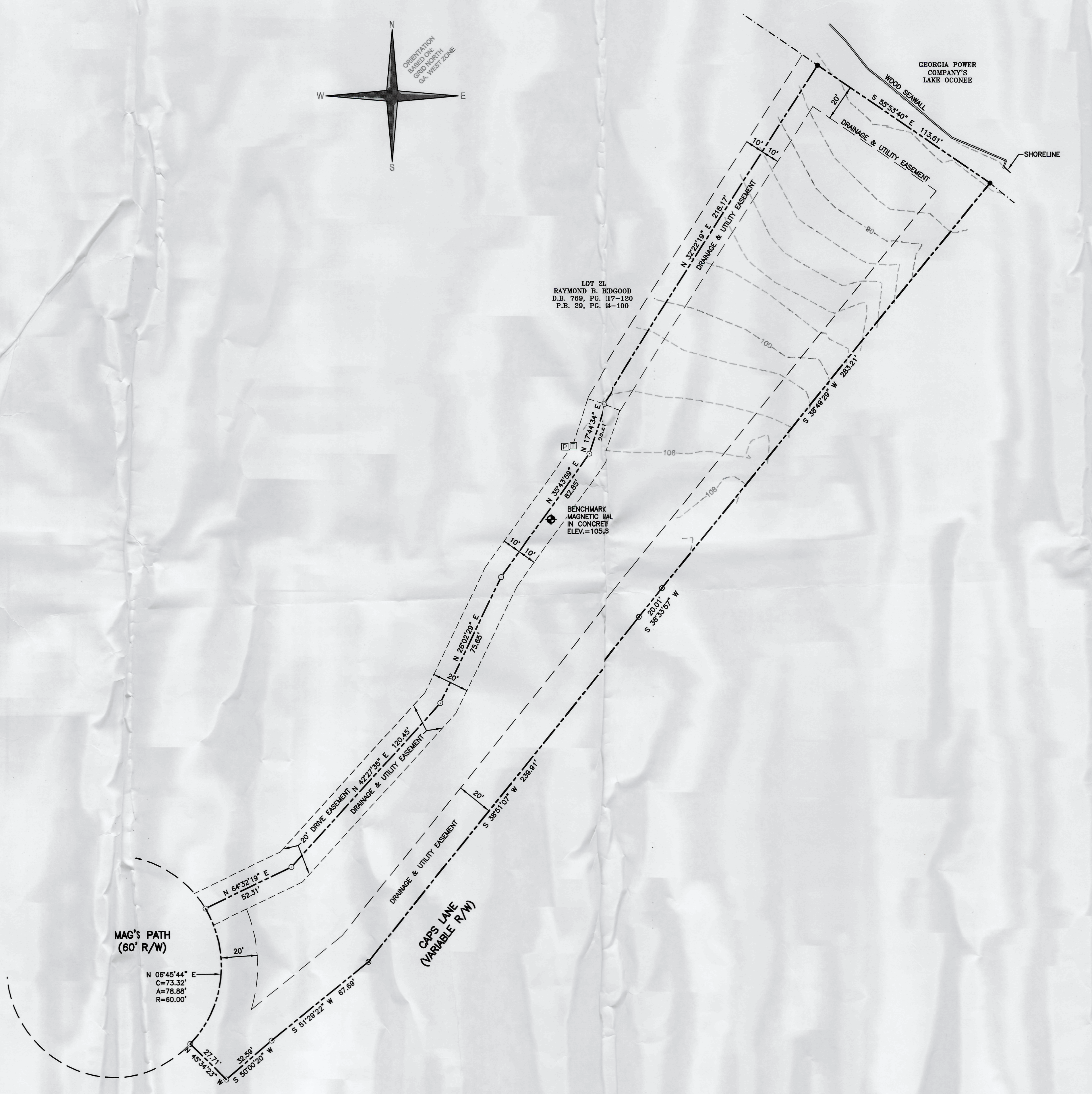
OCCONEE LAND SURVEYING LLC

P.O. BOX 1330
GREENSBORO, GA 30642
PHONE: 706-817-0679
EMAIL: ocsjmc@gmail.com

MADE IN AMERICA

LOT 21
RAYMOND B. BEDGOOD
D.B. 769, PG. 117-120
P.B. 29, PG. 94-100

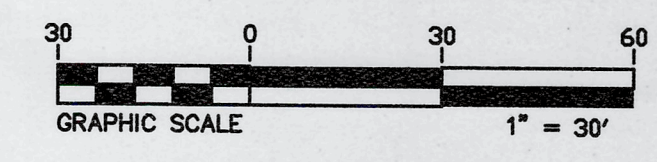
BENCHMARK
MAGNETIC MAL
IN CONCRETE
ELEV. = 105.3



LOT 43
SAMMON-MCMICHAEL, LLC
P.B. 29, PG. 94-100

LEGEND

- ☐ - TRANSFORMER
- ☐ - PHONE PEDESTAL
- ⊕ - BENCHMARK
- - CALCULATED POINT
- - #4 REBAR FOUND
- ⊗ - 3/4" PIPE FOUND



CONTOUR INTERVAL - 2 FT.
VERTICAL DATUM - ASSUMED

REFERENCES:

- D.B. 810, PG. 192-196
- P.B. 29, PG. 94-100

GENERAL NOTES:

1. ALL UTILITIES ARE NOT SHOWN ON THIS MAP.
2. ALL FENCES ARE NOT SHOWN ON THIS MAP.
3. THIS MAP IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND PROTECTIVE COVENANTS OF RECORD.
4. THIS MAP IS NOT BASED ON A TITLE ABSTRACT.
5. VEGETATION / SHORELINES ARE NOT CONSIDERED BY THE SURVEYOR TO BE AN ENCRICHMENT.
6. FLOOD ZONE INFORMATION IS NOT SHOWN ON THIS SURVEY.
7. ALL IMPROVEMENTS MAY NOT BE SHOWN ON THIS MAP.

SPRAYBERRY RESIDENCE

LOT 11 - 1.13 ACRES
CHAPEL SPRINGS SUBDIVISION
LAND LOT 329, 3RD LAND DISTRICT
308TH G.M.D., PUTNAM COUNTY, GEORGIA

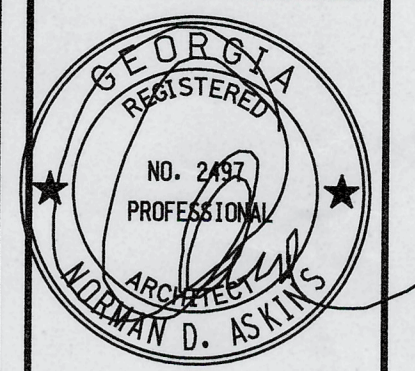
Revisions

No.	DATE	ISSUE/REVISION	BY

DATE OF FIELDWORK:	6-15-2015
MAP CLOSURE:	1/14,347
DRAWN BY:	J.A.M.
CHECKED BY:	J.A.M.
PROJECT No.:	15-0215
SHEET TITLE:	

TOPOGRAPHIC MAP

SHEET NUMBER:
1
OF 1



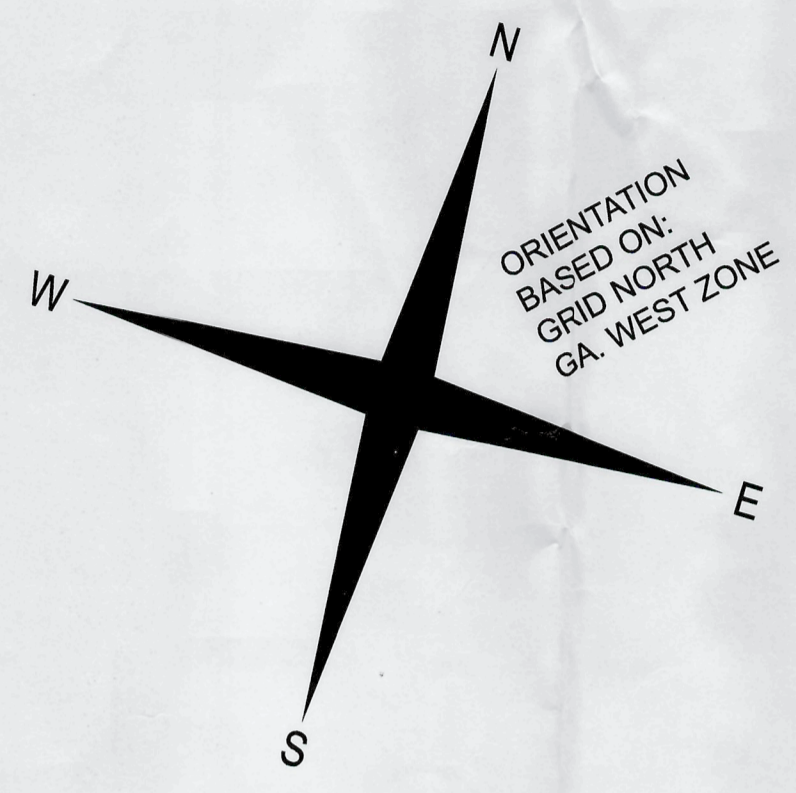
NEW HOME

THE SPRAYBERRY RESIDENCE
149 MAGS PATH, EATONTON, GA. 31024

NORMAN DAVENPORT AKINS ARCHITECT, P.C.
2335 LOOKOUT PL NE ATLANTA, GA. 30305
404-233-6565

Date 11-10-2011
Scale VARIES
Job SPRAYBERRY
Sheet

C-2

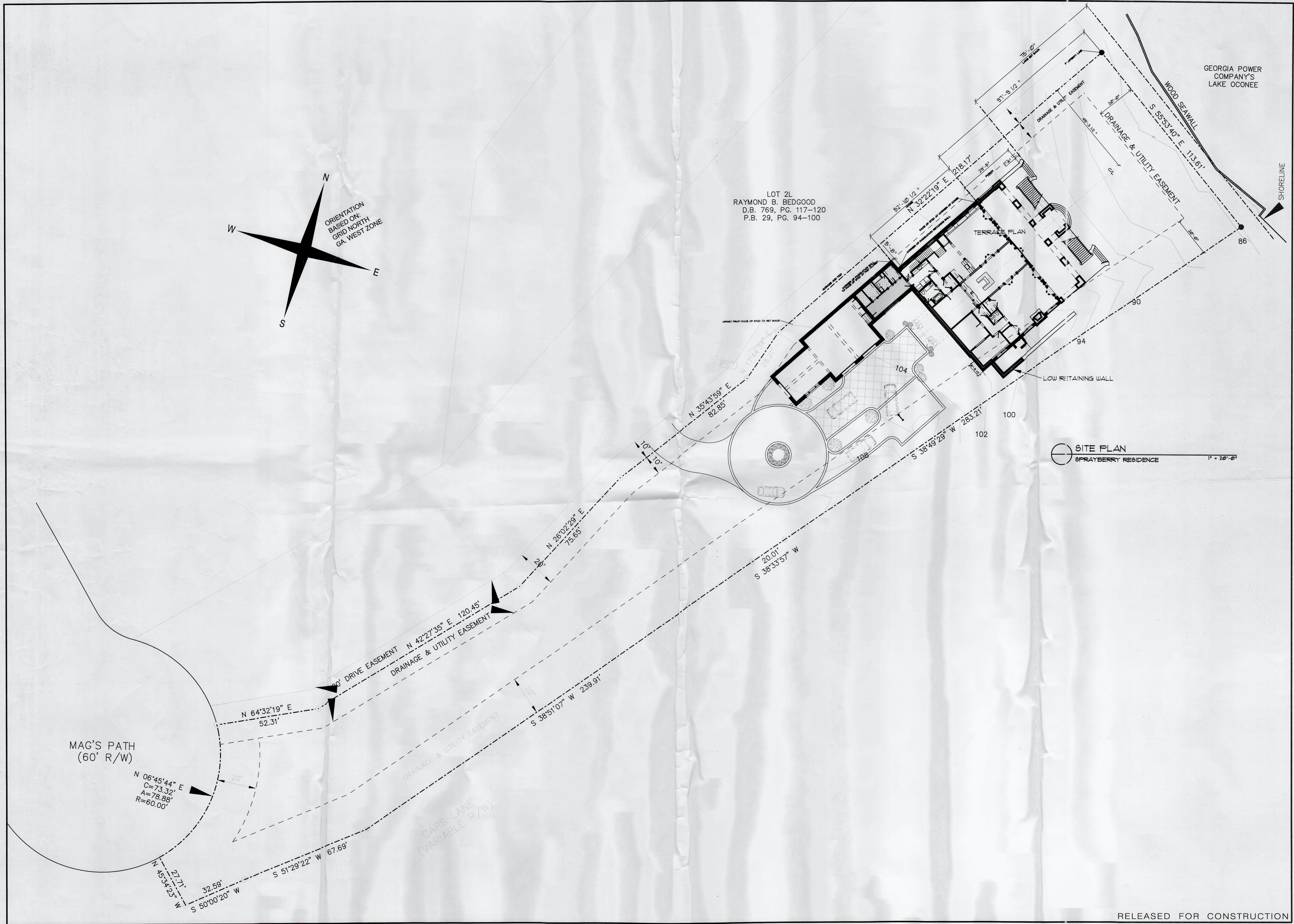


LOT 2L
RAYMOND B. BEDGOOD
D.B. 769, PG. 117-120
P.B. 29, PG. 94-100

GEORGIA POWER COMPANY'S LAKE OCONEE

SHORELINE

SITE PLAN
SPRAYBERRY RESIDENCE
1" = 20'-0"



RELEASED FOR CONSTRUCTION

Robert Dan & Anita E. Headstream
155 Capps Lane
Eatonton, Georgia 31024
Ph. 706-473-2078

June 2, 2021

To: Putnam County Planning and Development
117 Putnam Drive, Suite B
Eatonton, Georgia 31024

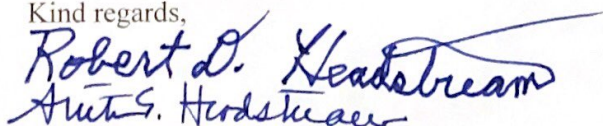
Re: Josh & Lauren Sprayberry -149 Mags Path rear yard setback variance request for the purposes of constructing a pool behind their home

To Whom It May Concern:

We have lived at 155 Capps Lane, Eatonton, Georgia 31024 since June of 1999, and currently still reside at this home. Our home is adjacent to 149 Mags Path, Eatonton, Georgia 31024. We do not oppose a rear yard setback variance of 35 feet from Lake Oconee for the Sprayberry's to construct a pool at their home located at 149 Mags Path, Eatonton, Georgia 31024.

Thank you for consideration of our letter.

Kind regards,



Robert Dan & Anita E. Headstream



PUTNAM COUNTY PLANNING & DEVELOPMENT

117 Putnam Drive, Suite B ♦ Eatonton, GA 31024
Tel: 706-485-2776 ♦ 706-485-0552 fax ♦ www.putnamcountyga.us

Staff Recommendations

Thursday, June 03, 2021, ♦ 6:30 PM

Putnam County Administration Building – Room 203

Requests

5. Request by **Josh & Lauren Sprayberry** for a rear yard setback variance at 149 Mags Path. Presently zoned R-1 [**Map 104A, Parcel 102, District 3**]. The applicants are requesting a 30-foot rear setback variance, being 35 feet from the nearest point to the lake, to construct a 16ft.x32ft pool. As it stands, this property has already received three variances for the construction of the primary dwelling unit. The primary dwelling unit is currently under construction and was granted both a lake and sides setback variance on April 7, 2016, due to the narrowness of the lot. The lot width is 91 ft wide in the buildable area. In addition, the applicants were given some relief from the lake setback, which was a minimum of 100 feet from the nearest point to the lake. The applicants were granted an 8-foot side yard setback variance being 12 feet from the left and right-side property lines and a 25-foot rear yard setback variance being 75 feet from the nearest point to the lake. The home consists of 9,620 heated square feet, 1,156 unheated square feet., and 1,165 square feet of porches and decks with a total square footage of 11,941. Staff measured the unfinished home with an attached garage and found that it is currently 157 feet in length and 71 feet wide. In addition, there will be three sets of stairs sloping from the upper balcony that will extend near or beyond the 65-foot minimum setback from the lake. However, once completed, the footprint of the house will exceed the lakeside variance that was approved in 2016 but shall not be closer than 65 ft from the nearest point to the lake.

As aforementioned, in 2016, the applicants were granted several variances, including a lakeside variance, to develop this property. There was a 25% deviation approved from the 100 feet minimum setback from the lake to 75 feet, and the BOC has since given a 35% decrease in the minimum required lakeside setback to 65 feet. This lot is approximately 230+ feet in length from the buildable area to the lake. The applicant has chosen to maximize the buildable area of this parcel with the construction of their considerably large new home with no consideration for an accessory structure that must meet all applicable setbacks as well. Staff, therefore, finds no undue hardship related to the property that is not a direct act of the applicants. As a result, this request fails to meet any of the conditions for granting a variance listed in the Putnam County Code of Ordinances, Chapter 66-157(c).



Commented [LJ1]:

2



The staff recommendation is for denial of a 30-foot rear yard setback variance being 35 feet from the nearest point to the lake at 149 Mags Path [Map 104A, Parcel 102].

New Business
Adjournment

The Planning & Zoning Commission meeting will be conducted pursuant and in accordance with O.C.G.A. Chapter 36-66.

Notice: All opponents to any rezoning request on the Planning & Zoning Commission and the Board of Commissioners agendas must file a disclosure of campaign contributions with the Planning & Development Department within five calendar days prior to public hearings if you have contributed \$250.00 or more to an elected official in Putnam County within the last five years.

*The Putnam County Board of Commissioners will hear these agenda items on June 15, 2021 at 6:30 P.M., in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, GA 31024.

The full meeting package can be reviewed in the Planning & Development office upon request.

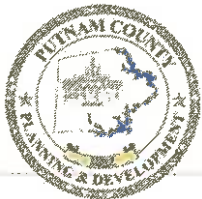
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The Board of Commissioners' hearing will be conducted pursuant to O.C.G.A. 50-14-1 and Section 66-152 of the Putnam County Code of Ordinances and meets the requirements of the Zoning Procedures Laws established in O.C.G.A 36-66.

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

File Attachments for Item:

6. Request by **Robert & Susan Dods** for a rear yard setback variance at 101 Twisting Hill Ln. Presently zoned R-2. **[Map 111C, Parcel 043, District 4]**.



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Plan 2021-00785

APPLICATION FOR ZONING ACTION: VARIANCE

RCWD APR 14 21
CW

Application Information

(same as owner Yes No)

Name: Jacob & Susan Dods

Address: 101 Twisting Hill LN

Phone: 229 561 2694

Email: rhodods@icloud.com

Fax: _____

Arterial/State Road. Yes: _____ No:

SETBACKS: Front: 30' Rear: - Lakeside: 37' Left: 25' Right: 267'
300'

TOTAL SQ. FT. (existing structure) 0 TOTAL FOOTPRINT (proposed structure) 520

LOT LENGTH (the total length of the lot) 312

LOT WIDTH AT BUILDING SETBACK (how wide the lot is where you are proposing to build) 62'

REASON FOR REQUEST: Set Back can't be met. due to shape of lot

SUPPORTING INFORMATION ATTACHED TO APPLICATION:

RECORDED PLAT: LETTER OF AGENCY _____ LETTER OF INTENT

SITE APPROVAL/LAYOUT OF SEPTIC SYSTEM FROM HEALTH DEPARTMENT _____

PROPOSED LOCATION MUST BE STAKED OFF

*SIGNATURE OF APPLICANT: TBD DATE: April 14, 2021

*APPLICANT HEREBY AFFIRMS THAT APPLICANT IS THE PROPERTY OWNER OR HAS THE LEGAL AUTHORITY TO SIGN THIS FORM ON OWNER'S BEHALF, AND APPLICANT AGREES TO INDEMNIFY AND HOLD PUTNAM COUNTY/CITY OF EATONTON HARMLESS IN THE EVENT IT IS DETERMINED APPLICANT DOES NOT HAVE SUCH LEGAL AUTHORITY.

DATE FILED <u>4/14/21</u>	FEE: \$ <u>220.00</u>	CK. NO. _____	CASH _____	C. CARL <input checked="" type="checkbox"/>	INITIALS <u>CW</u>
RECEIPT # <u>101788</u>					
DATE OF NEWSPAPER AD: _____	DATE SIGN POSTED: _____				
PLANNING & ZONING HEARING: _____	RESULT: _____				
COMMISSIONERS/CITY COUNCIL HEARING: _____	RESULT: _____				



RCUD 2021 APR 23

Handwritten initials/signature

CAMPAIGN CONTRIBUTION DISCLOSURE

Has applicant made \$250 or more campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes No If yes, please complete contribution affidavit.

If the business of the applicant or owner, or the applicant or owner individually, have made contributions or gifts having a total value of over \$250 or more to any elected official in Putnam County within two (2) years preceding the date of this application, the following must be completed:

Name of Recipient	Date	Contribution Amount	Description of Gift	Value of Gift

Name of Business: _____

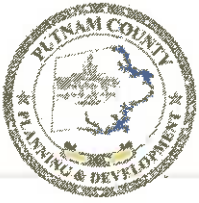
Business Ownership Interest: _____ Property Ownership Interest: _____

I hereby depose and say that all statements herein are true, correct, and complete to the best of my knowledge and belief.

[Signature]
 Owner or Applicant Signature

[Signature]
 Notary Public
 Sworn and subscribed before me this
 23 day of April 2021

KAREN A. PERKINS
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 20084024482
 MY COMMISSION EXPIRES 07/15/2024



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117 Putnam Drive, Suite B ♦ Eatonton, GA 31024

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REC'D APR 14 '21
aw

OWNER AUTHORIZATION

Submission of inaccurate information may be cause for denial of the requestor, if discrepancies are realized after the approval for the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners. The following documents must be submitted with this application before the application deadline.

Incomplete applications will not be accepted or processed.

1. Payment of appropriate fee (please make checks payable to Putnam County Planning & Development)
2. Plat or site plan, drawn to scale, showing the locations of structures or uses for which the variance is sought, as well as the relationship to existing structures. Dimensions must be included.
3. A written description of your request in a letter format addressed to Putnam County Planning & Development. All required criteria (attached) must be addressed in the written description. Specific sections of the ordinance that would cause hardship must be identified, along with a description of the particular hardship.

The documents listed above are the minimum requirements. Staff may require additional documentation depending on the nature of the Variance Request. All submitted documents are public records and subject to Opens Records Law.

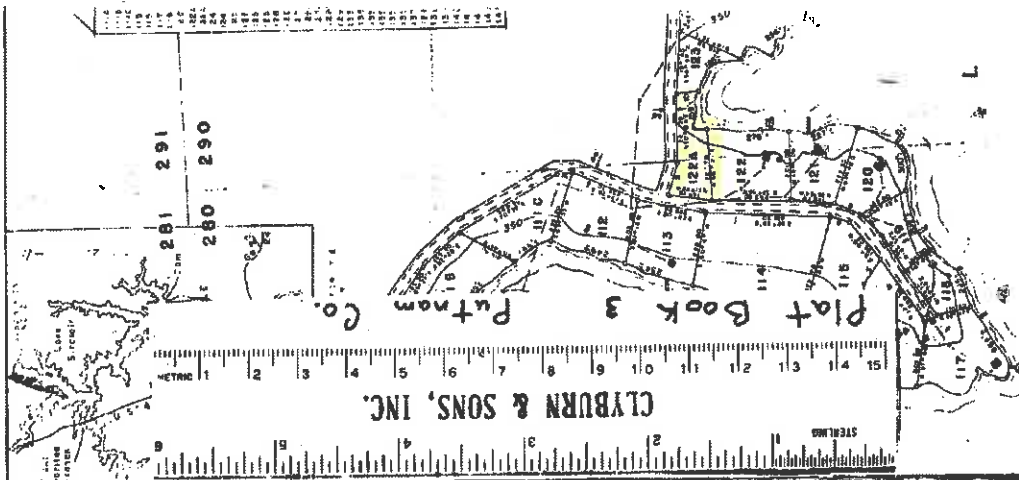
I have reviewed the application procedures and all applicable criteria and regulations in the Putnam County Zoning Ordinance for the above-requested Variance Request. I hereby claim that this application fulfills said procedures and meets the criteria for approval.

Applicant Signature: *RBDoels* Date: *April 14 2021*

I swear that I am the owner of the property listed above. I authorize *Robert B Doels* (applicant's name) to apply for a zoning action (zoning map amendment, conditional use, variance) at the above listed address, as identified on the attached application.

RBDoels
Owner signature

Angela M Waldrop
Notary Public
Sworn and subscribed before me this
14 day of *April* 20*21*
PUTNAM COUNTY, GEORGIA

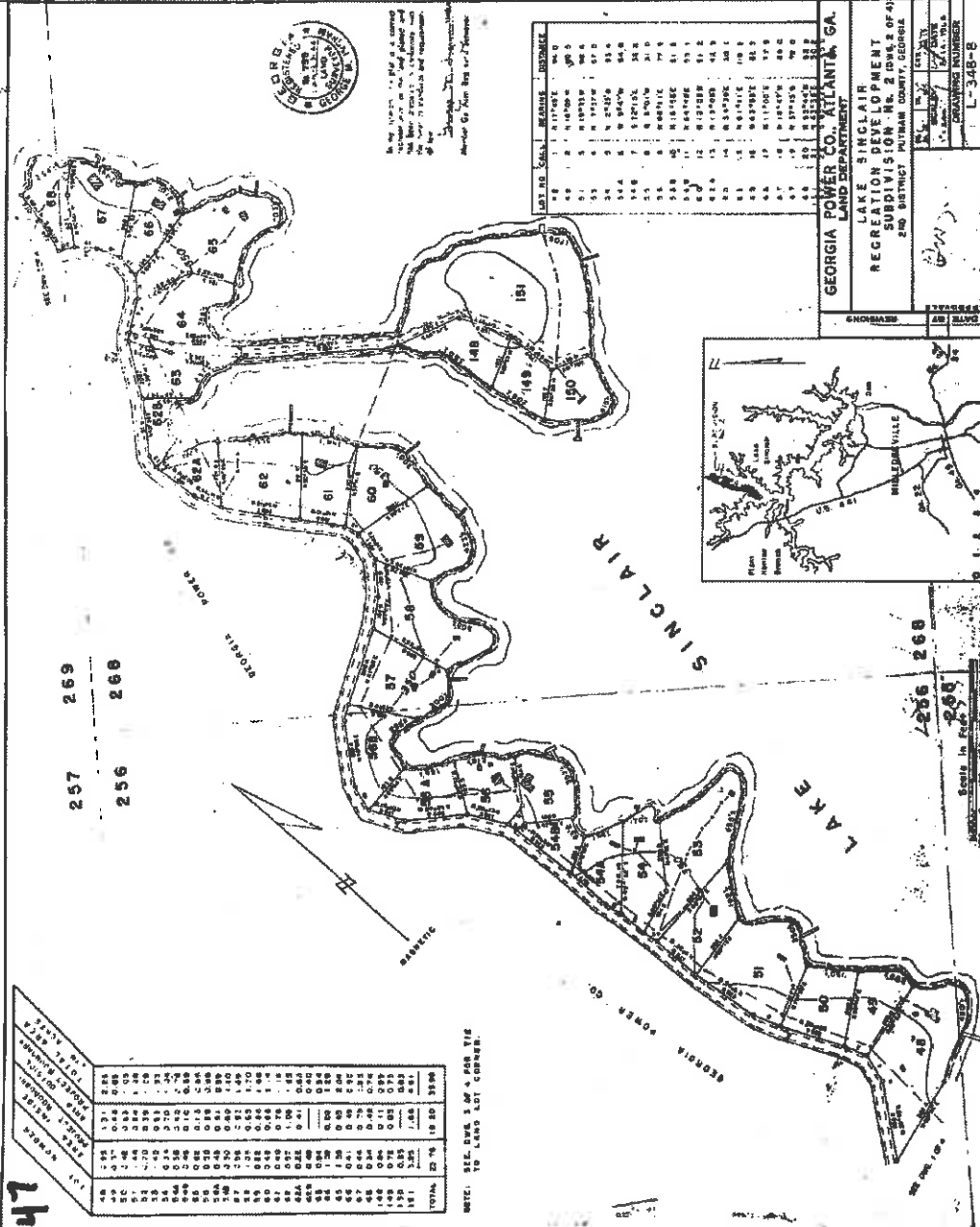


RCVD APR 14 '21

LAND DEPARTMENT
LAKE SINCLAIR
RECREATION DEVELOPMENT
SUBDIVISION NO. 2 (PART 1 OF 4)
2ND DISTRICT, PUTNAM COUNTY, GEORGIA

SCALE IN FEET
1" = 100'
L-348-B
SHEET NO. 1 OF 4

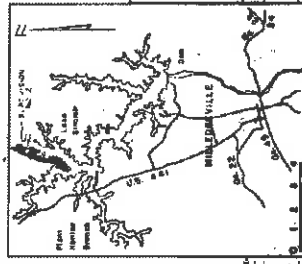
NOTE: SEE DWG. 3 OF 4 FOR V.I.C.
ON LAKE LOT CORNER.



This plat was prepared by a duly licensed and bonded surveyor and in accordance with the laws of Georgia and regulations of the Board of Surveyors.

LOT NO.	ACRES	BEARING	DISTANCE
1	0.00		
2	0.00		
3	0.00		
4	0.00		
5	0.00		
6	0.00		
7	0.00		
8	0.00		
9	0.00		
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100	0.00		

GEORGIA POWER CO., ATLANTA, GA.
LAND DEPARTMENT
LAKE SINCLAIR
RECREATION DEVELOPMENT
SUBDIVISION NO. 2 (PART 2 OF 4)
2ND DISTRICT, PUTNAM COUNTY, GEORGIA



LOT NUMBER	ACRES	BEARING	DISTANCE
1	0.00		
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95	0.00		
96	0.00		
97	0.00		
98	0.00		
99	0.00		
100	0.00		
TOTAL	20.75		

NOTE: SEE DWG. 3 OF 4 FOR V.I.C.
ON LAKE LOT CORNER.

Case 4 Plats Recorded October 8, 1964



Plat Book 3



RCVD APR 14 '21



Overview



RCVD APR 14 '21

Legend

- City Limit
- Parcels
- Parcel Numbers**
- Zoning**
- A-1 CITY
- A-1 and AG-1
- AG-1
- AG-2
- C-1
- C-1 CITY
- C-2
- C-2 CITY
- C-2 PUD
- I-1 CITY
- I-2 CITY
- I-M
- MHP
- PUBLIC
- PUBLIC CITY
- R-1 CITY
- R-2 CITY
- R-3 CITY
- R-4 CITY
- R-1
- R-1R
- R-2
- RM-1
- RM-2
- RM-3
- VILLAGE
- Roads
- Flood Map**
- A - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Base Flood Elevations (BFE) have not be

Proposed Location
of Metal
Carport 20x26
at 101 Twisting Hill Lane

open carport
10' Sides

39' to edge of Hill Road
25' Road (Twisting Hill Road)

20x26
open Carport
(Proposed)

12' Between

12x20
shed
(Existing)

13' to Lake

25' to
Property
LINE

25' to
Property
LINE

RCVD APR 14 21 aw

April 14, 2021

Putnam County Planning and Development

PCPD APR 14 21 03

We own the property at 101 Twisting Hill Lane and are planning to install an open carport

We are requesting a variance on the Lake Side.

To position the carport and keep within setbacks the Lake Side would be at 37'. There is currently a shed between the lake and the proposed location of the carport that was there when we bought the property.

The proposed carport is open sided and will be used to park a small camper and pickup.

JB Davis Mgt (Ret)

101 Twisting Hill Lane

Eatonton, Ga 31024

229-561-2694

Existing On-site Sewage Management System Performance Evaluation Report Form

Property Owner/Sys. m Owner Name: Robert Dods 229-561-2694		Reason for Existing Sewage System Evaluation: (circle)	
Property/System Address: 101 Twisting Hill Lane		<input type="checkbox"/> (1) Loan Closing for Home Sale <input type="checkbox"/> (2) Refinance <input type="checkbox"/> (3) Home Addition (Non-bedroom) Type: _____ <input type="checkbox"/> (4) Swimming Pool Construction <input type="checkbox"/> (5) Structure Addition to Property Type: CARPORT 20 X 26 <input type="checkbox"/> (6) Mobile Home Relocation No plans	
Subdivision Name:	Lot: 122A	Block:	
Existing System Information: Water Supply (circle)		Number of Bedrooms/GPD: 3	Garbage Grinder: (circle)
<input checked="" type="checkbox"/> (1) Public <input type="checkbox"/> (2) Private Well <input type="checkbox"/> (3) Community		<input type="checkbox"/> (1) Yes <input checked="" type="checkbox"/> (2) No	

SECTION A - System on Record

<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	Existing On-site Sewage Management System inspection records indicate that all components of the system were properly constructed and installed at the time of the original inspection.	Comments: Existing well 77 Acres
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	A copy of the original On-site Sewage Management System Inspection Report is attached.	
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that timeframe.	
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system.	
Evaluating Environmentalist: _____ Title: _____ Date: _____		I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION B - System Not on Record

<input checked="" type="checkbox"/> (1) Yes	No inspection records are on file showing the On-site Sewage Management System was inspected and approved at the time of the installation.	Comments: See attached papers report
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	The septic tank was uncovered at the time of the evaluation and it appears to meet the required design, construction and installation criteria.	
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	Documentation from a Georgia Certified Installer has been provided as to the condition of the septic tank and its respective components, certifying its design, construction, and installation criteria. A copy is attached.	
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that timeframe.	
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system; however, appropriateness of the sizing and installation cannot be verified since no initial inspection records exist.	
Evaluating Environmentalist: _____ Title: _____ Date: _____		I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION C - System Not Approved

<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	The On-site Sewage Management System was disapproved at the time of the initial installation and is thus not considered an approved system.	Comments: _____ _____ _____
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	Evaluation of the system revealed evidence of system failure or malfunction, and will therefore require corrective action in order to obtain approval of the system.	
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	Evaluation of the system revealed conditions which would adversely affect the proper functioning of the system, and will therefore require corrective action in order to obtain approval of the system.	
Evaluating Environmentalist: _____ Title: _____ Date: _____		I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION D - Addition to Property or Relocation of Home (section completed in conjunction with A, B, or C above)

<input checked="" type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	An existing On-site Sewage Management System is located on the property listed above and has been evaluated in accordance with Section A or B above.	Comments: _____ _____	
<input type="checkbox"/> (1) Yes <input type="checkbox"/> (2) No	A site evaluation on this date as well as the provided information indicate that the proposed construction to home or property or that the proposed relocation of the home should not adversely affect the proper functioning of the existing system provided that no additional sewage load is added to the system for the listed size home adjacent.		
Evaluating Environmentalist: _____ Title: _____ Date: _____		Number of Bedrooms/GPD: 3	Garbage Grinder: (circle) <input type="checkbox"/> (1) Yes <input checked="" type="checkbox"/> (2) No
Evaluating Environmentalist: _____ Title: _____ Date: _____		I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.	

rbdods@icloud.com

RECEIVED APR 30 2011

Baldwin County Health Department
ON-SITE SEWAGE SYSTEM / SEPTIC TANK PUMPER REPORT

8

This form is to be completed by a certified on-site sewage system pumper who is pumping a sewage tank and hauling the septage to an authorized disposal site. At the time of service the certified pumper performing such service should provide this or other comparable written service report to the owner and provide a copy to the Baldwin County Health Department Environmental Health Section.

Property Owner Name: Lydia Messner Telephone: 706 923 1347

Site Address: 101 Twisting Hill Lane

Pumper/ Contractor: Martin's Septic Serv Telephone: 478-452-8072

Date of Service: 4/1/15 Time: 12:00 PM Recent Weather Conditions: wet

Age of system (if known) 3 Number of bedrooms 3 Number of people in home 2

Sewage Tank located and exposed for inspection? Yes No Estimated Tank Size 1000

No. of Compartments 1 Tank Material Concrete Type of Tank precast Depth of Tank Lid 12"

Liquid Level in tank is: Above Normal Normal Below Normal

Estimated depth/ thickness of floating scum mat/layer in each compartment? 12"

Depth / thickness of Sludge Layer in each compartment? 12"

Pumped out tank: Yes No Gallons Pumped 1000 Bottom/sides in good condition? yes

Is effluent running back into tank from drainfield? NO Was tank leakage observed?

Baffle walls/vents cleaned: Inlet Center Outlet

Condition of Inlet baffle / Tee Good Needs Repair Repaired

Condition of Outlet baffle / Tee Good Needs Repair Repaired

If "T's" or baffles are missing or damaged, the owner should be notified in writing.
 Missing or damaged "T's" or baffles should be replaced.

Tank Condition: Acceptable Unacceptable Type of Tank (ST, ATU, Other) ST

Septic Tank was properly closed and excavated soil/sod returned: Yes No

Last Previous Pump Date (if known)? Pumping Frequency Recommended

Description of any repairs or other service performed:

Recommendations to Sewage Tank Owner:

Please sketch location of system: (show front of house or street, show distance from structure to tank, may use back of page if necessary for sketch or other comments. If more than one house on property, specify which one.)



NAME OF PUMPER (PRINTED) Vince Martin GA CERT. NO.: GA-P-10961-RPI

SIGNATURE OF PUMPER: Vince Martin DATE: 4/1/15

PLEASE SEND COPY OF THIS REPORT TO: BALWIN COUNTY HEALTH DEPARTMENT FAX # 478 445-2951
 Revised 02/06



PUTNAM COUNTY PLANNING & DEVELOPMENT

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Tel: 706-485-2776 ♦ 706-485-0552 fax ♦ www.putnamcountyga.us

Staff Recommendations

Thursday, June 03, 2021, ♦ 6:30 PM

Putnam County Administration Building – Room 203

Requests

6. Request by **Robert & Susan Dods** for a rear yard setback variance at 101 Twisting Hill Ln. Presently zoned R-2. [**Map 111C, Parcel 043, District 4**]. The applicants are requesting a 28-foot rear yard setback variance, being 37 feet to the nearest point to the lake. They would like to place an open carport measuring 20ft.x26ft in the rear yard. The lot is on two different elevations, with the house sitting on a small hill, while the proposed structure will sit on the lower elevation. The carport will be open to all sides and will be used to house a small camper and truck. **The applicants are requesting to withdraw without prejudice.**



The staff recommendation is for approval of the request to withdraw without prejudice at 101 Twisting Hill Ln [Map 111C, Parcel 043].

New Business
Adjournment

The Planning & Zoning Commission meeting will be conducted pursuant and in accordance with O.C.G.A. Chapter 36-66.

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File Attachments for Item:

7. Request by **Keith Davis (LWJM Properties)** for a right side setback variance at 364 Possum Pt. Rd. Presently zoned R-2. **[Map 088B, Parcel 190, District 4]**.



PUTNAM COUNTY PLANNING & DEVELOPMENT

117 Putnam Drive, Suite B ♦ Eatonton, GA 31024

Tel: 706-485-2776 ♦ 706-485-0552 fax ♦ www.putnamcountyga.us

APPLICATION FOR ZONING ACTION: VARIANCE

Application Information

(same as owner Yes No
 Name: Keith Davis (LWJM Properties)
 Address: 364 Pussam Pt. Rd.
Eatonton Ga. 31624
 Phone: 706-816-8968
 Email: Keithd0827@yahoo.com
 Fax: _____

Property Information

Address: 364 Pussam Pt. Rd.
 Map: 088 B Parcel: 190
 Presently Zoned: R-2 B5 Com. District: 4 B5
 Total Acreage: 1.04
 In Conservation Use: Yes No
 State Waters on Property: Yes No

Arterial/State Road. Yes: No: _____

SETBACKS: Front: 100+ Rear: 100+ ^{MA} Lakeside: 100+ Left: 20 Right: 10

TOTAL SQ. FT. (existing structure) 1152 TOTAL FOOTPRINT (proposed structure) 1,852

LOT LENGTH (the total length of the lot) 421

LOT WIDTH AT BUILDING SETBACK (how wide the lot is where you are proposing to build) 103

REASON FOR REQUEST: To add an addition to the ~~end~~ right side of home.

SUPPORTING INFORMATION ATTACHED TO APPLICATION:

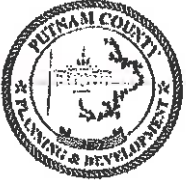
RECORDED PLAT: LETTER OF AGENCY _____ LETTER OF INTENT
 SITE APPROVAL/LAYOUT OF SEPTIC SYSTEM FROM HEALTH DEPARTMENT

PROPOSED LOCATION MUST BE STAKED OFF

*SIGNATURE OF APPLICANT: [Signature] DATE: 4-14-21

*APPLICANT HEREBY AFFIRMS THAT APPLICANT IS THE PROPERTY OWNER OR HAS THE LEGAL AUTHORITY TO SIGN THIS FORM ON OWNER'S BEHALF, AND APPLICANT AGREES TO INDEMNIFY AND HOLD PUTNAM COUNTY/CITY OF EATONTON HARMLESS IN THE EVENT IT IS DETERMINED APPLICANT DOES NOT HAVE SUCH LEGAL AUTHORITY.

DATE FILED _____	FEE: \$ 220.00	CK. NO. _____	CASH _____	C. CARD <input checked="" type="checkbox"/>	INITIALS <u>[Signature]</u>
RECEIPT # _____					
DATE OF NEWSPAPER AD: _____	DATE SIGN POSTED: _____				
PLANNING & ZONING HEARING: _____	RESULT: _____				
COMMISSIONERS/CITY COUNCIL HEARING: _____	RESULT: _____				



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OWNER AUTHORIZATION

Submission of inaccurate information may be cause for denial of the requestor, if discrepancies are realized after the approval for the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners. The following documents must be submitted with this application before the application deadline.

Incomplete applications will not be accepted or processed.

- 1. Payment of appropriate fee (please make checks payable to Putnam County Planning & Development)
- 2. Plat or site plan, drawn to scale, showing the locations of structures or uses for which the variance is sought, as well as the relationship to existing structures. Dimensions must be included.
- 3. A written description of your request in a letter format addressed to Putnam County Planning & Development. All required criteria (attached) must be addressed in the written description. Specific sections of the ordinance that would cause hardship must be identified, along with a description of the particular hardship.

The documents listed above are the minimum requirements. Staff may require additional documentation depending on the nature of the Variance Request. All submitted documents are public records and subject to Opens Records Law.

I have reviewed the application procedures and all applicable criteria and regulations in the Putnam County Zoning Ordinance for the above-requested Variance Request. I hereby claim that this application fulfills said procedures and meets the criteria for approval.

Applicant Signature: _____ *[Signature]* _____ Date: _____

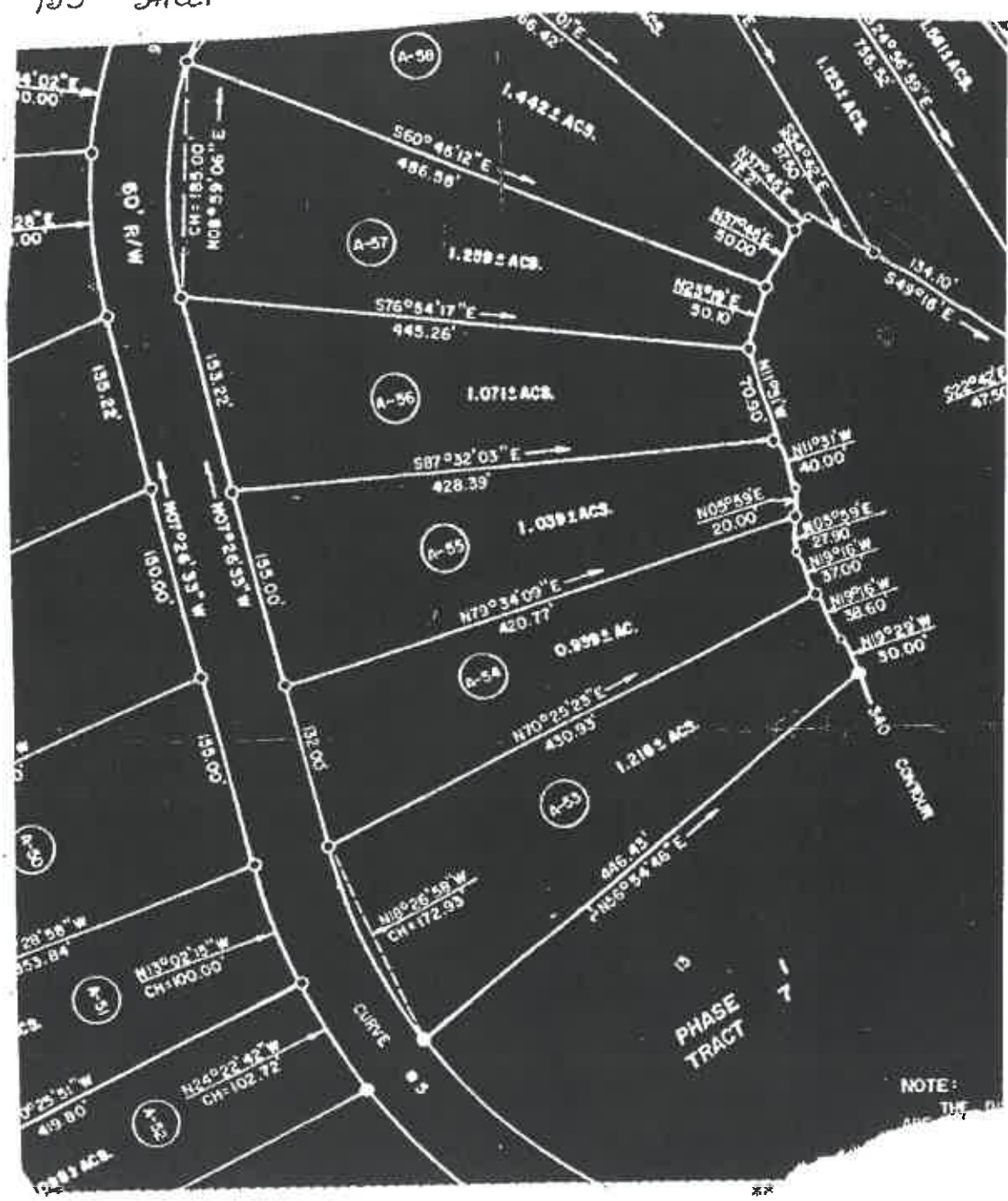
I swear that I am the owner of the property listed above. I authorize _____ (applicant's name) to apply for a zoning action (zoning map amendment, conditional use, variance) at the above listed address, as identified on the attached application.

Owner signature

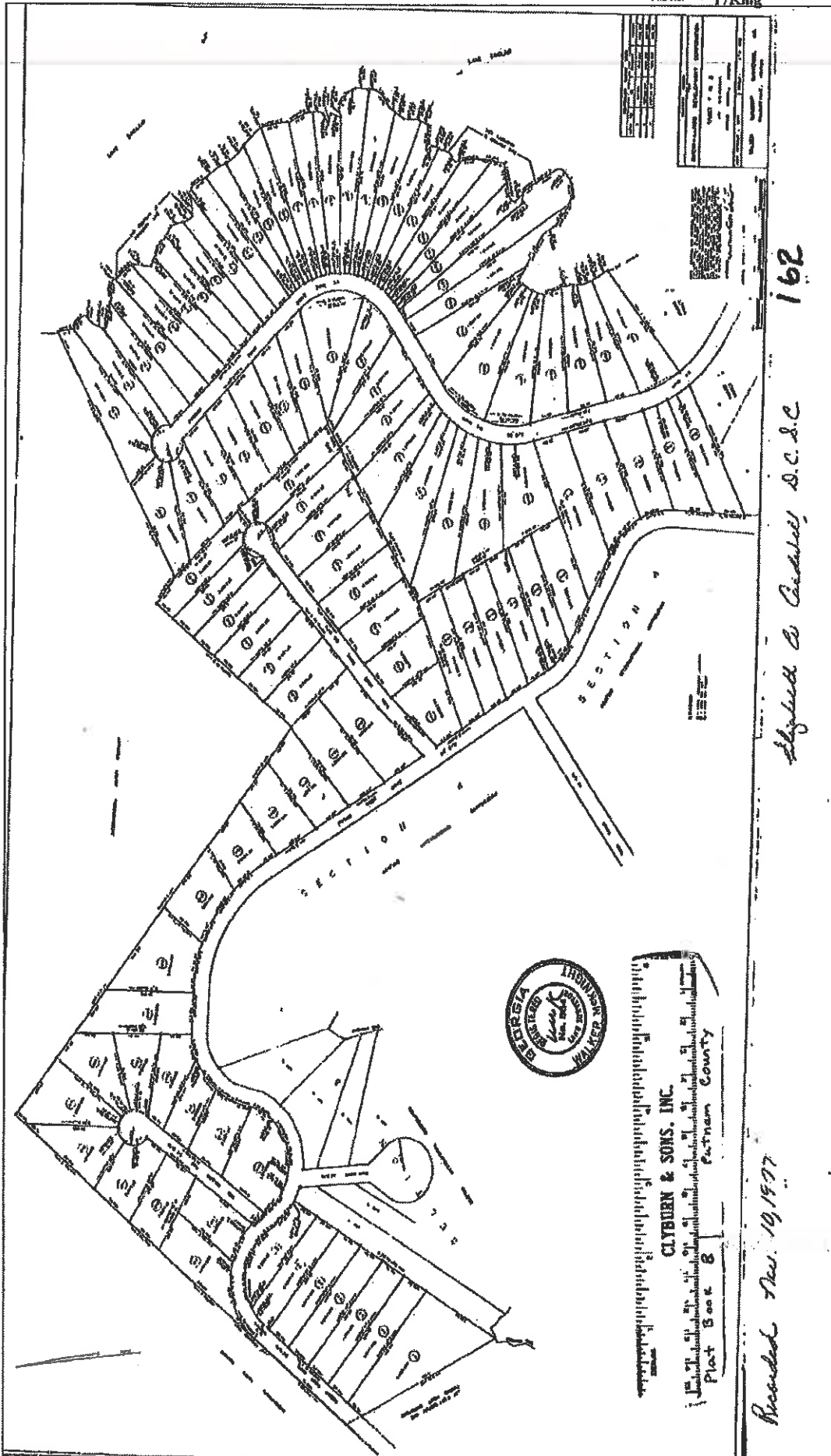
Notary Public
Sworn and subscribed before me this
_____ day of _____ 20____.

Water
 28.39' Left Line
 420.97' Right Line
 155' Street

1.039 Acres



Handwritten signature



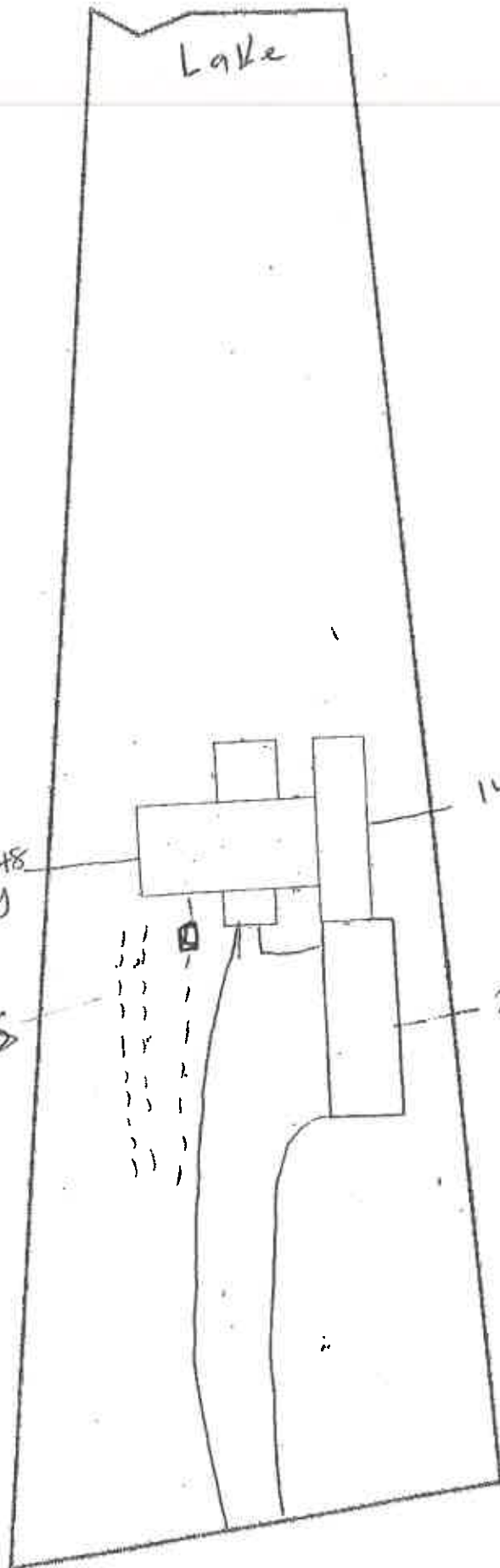
Clayton & Cousins, S.C.S.C. 162



CLYBURN & SONS, INC.
 CLYBURN, S.C.
 FAYETTE COUNTY

Recorded Nov. 10, 1977

DL



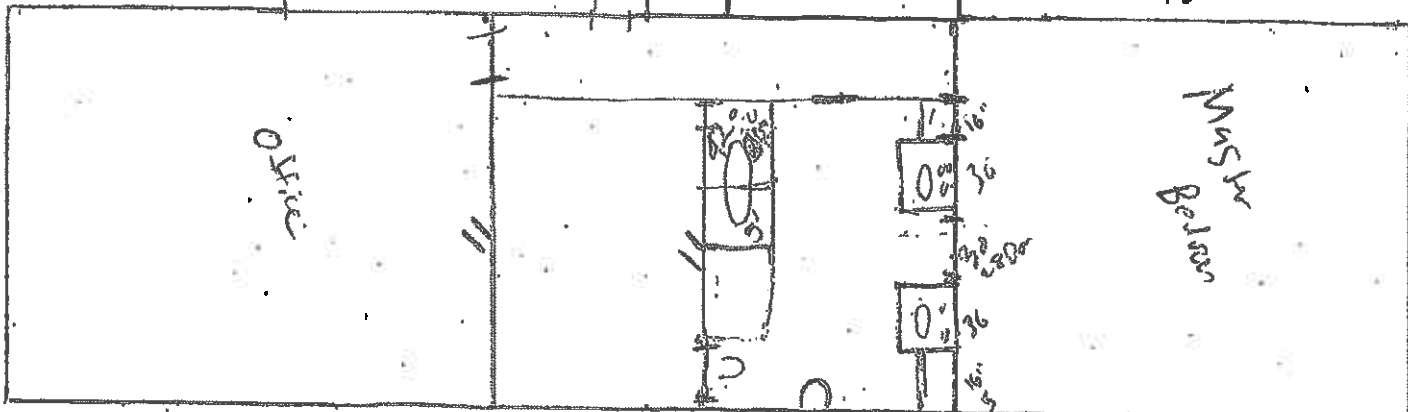
24x48
existing
home

14x50 addition

20x70 shed roof

SS

14



Office

50

8

Master
Bedroom



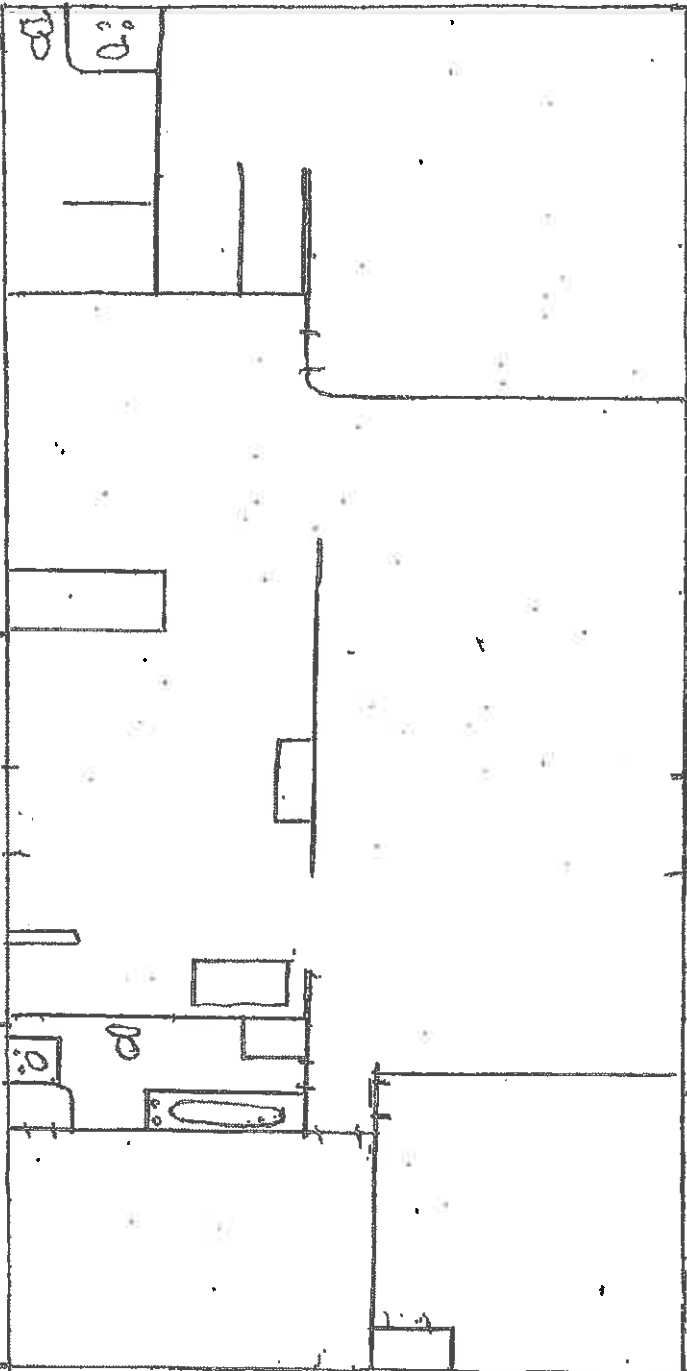
14

10

10

12

10



36

36

16

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10

16

14

DE

Keith & Callie Davis
364 Possum Point Drive
Eatonton, GA 31024
(April 28, 2021)

Putnam County Planning & Development
Director Lisa Jackson
117 Putnam Dr., Suite B
Eatonton, Ga 31024

Dear Putnam County Planning Development:

We own the property located at 364 Possum Point Drive, and plan to build a master suite, office and carport. We are requesting a variance on the right side of the home for a (14x50 master suite) and (20x70 carport). We request a 10' variance on the right side of the house in order to accommodate the home addition that will be in compliance with our uniquely shaped lot and topography. Our request is to build the home addition that accommodates our family needs, which is challenging with the existing topography and layout of home.

We out of curtesy and consideration for our neighbors have shared our variance request and plans for the addition. They are in agreeance with our variance request and offered their blessings.

General building information: The addition we purpose to build would add an additional seven hundred square feet of living space. This will fit nicely with the current layout and structure of the home. We appreciate your time and consideration for our variance request.

If you would like additional information about this request, you can call me at (706) 816-8968.

Sincerely,
Keith & Callie Davis



REC'D 2021 APR 29




Georgia Department of Human Resources
APPLICATION FOR CONSTRUCTION PERMIT AND SITE APPROVAL
For On-Site Sewage Management System

①

COUNTY: PUTNAM	SUBDIVISION:	LOT NUMBER: A-55	BLOCK: 088 B190
PROPERTY LOCATION (STREET ADDRESS): 3.64 Possam Point Dr., Egmont 31024			

I hereby apply for a construction permit to install an On-Site Sewage Management System and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Human Resources, Chapter 290-5-26. By my signature, I understand that final inspection is required and will notify the County Health Department upon completion of construction and before applying final cover material to the system.

PROPERTY OWNER'S/AUTHORIZED AGENT'S SIGNATURE: 	DATE: 4.26.2021
PROPERTY OWNER'S NAME: LWJM Properties LLC	PHONE NUMBER: 706-816-8968
PROPERTY OWNER'S ADDRESS: 120 Chandler Dr., Egmont Ga. 31024	ALTERNATE PHONE NUMBER:
AUTHORIZED AGENT'S NAME (IF OTHER THAN OWNER): Keith Paris	RELATIONSHIP TO OWNER: Owner

Section A - General Information

1. REQUIRED SETBACK FROM RECEIVING BODIES (walls, lakes, sinkholes, streams, etc.) EVALUATED: (1) Yes (2) No	5. TYPE OF STRUCTURE (single/multi-family residence, commercial, restaurant, etc.): Single Family	8. SOIL SERIES (e.g. Pacol, Orangeburg, etc.): Bwinnett
2. WATER SUPPLY: (1) Public (2) Private (3) Community	9. WATER USAGE BY: (1) Bedroom Numbers (2) Gallons per Day	10. PERCOLATION RATE/HYDRAULIC LOADING RATE:
3. SEWAGE SYSTEM TO BE PERMITTED: (1) New (2) Repair (3) Addition	7. NO. OF BEDROOMS / GPD: 4	11. RESTRICTIVE SOIL HORIZON DEPTH (INCHES):
4. LOT SIZE (SQUARE FEET / ACRES): 1.04	6. LEVEL OF PLUMBING OUTLET: (1) Ground Level (2) Basement (3) Above Ground Level	12. SOIL TEST PERFORMED BY: Richard Oslyn

Section B - Primary / Pretreatment

1. DISPOSAL METHOD: (1) Septic Tank (2) Privy (3) Aerobic Unit (4) Other:	3. SEPTIC TANK CAPACITY (GALLONS): 1000	4. AEROBIC UNIT CAPACITY (GALLONS):	5. DOSING TANK CAPACITY (GALLONS):	6. GREASE TRAP CAPACITY (GALLONS):
2. GARBAGE DISPOSAL: (1) Yes (2) No	7. PRESCRIBED TANK LOCATION / REMARKS: Existing Tank			

Section C - Secondary Treatment

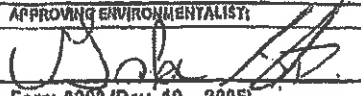
1. ABSORPTION FIELD DESIGN: (1) Level Field (2) Serial (3) Drip (4) Distribution Box (5) Mound / Area Fill	4. TOTAL ABSORPTION FIELD SQUARE FEET REQUIRED: 1192	7. NUMBER OF ABSORPTION TRENCHES:
2. ABSORPTION FIELD PRODUCT: H.Cop Chamber	5. TOTAL ABSORPTION FIELD LINEAR FEET REQUIRED: 64	8. SPECIFIED LENGTH OF ABSORPTION TRENCHES:
3. AGGREGATE DEPTH (inches):	6. DEPTH OF ABSORPTION TRENCHES (range in inches): 30-40	9. DISTANCE BETWEEN ABSORPTION TRENCHES:
10. PRESCRIBED ABSORPTION FIELD LOCATION: Stay 100 feet from all wells. Do not build over or disturb drainage area. Divert water from area.		

A PERMIT IS HEREBY GRANTED TO INSTALL THE ON-SITE SEWAGE MANAGEMENT SYSTEM DESCRIBED ABOVE. THIS PERMIT IS NOT VALID UNLESS PROPERLY SIGNED BELOW. THIS PERMIT EXPIRES TWELVE (12) MONTHS FROM DATE OF ISSUANCE.

1. SITE APPROVED AS SPECIFIED ABOVE: (1) Yes (2) No

ANY GRADING, FILLING, OR OTHER LANDSCAPING SUBSEQUENT TO ISSUANCE OF A PERMIT MAY RENDER PERMIT VOID. FAILURE TO FOLLOW SITE PLAN MAY RENDER PERMIT VOID. ANY GRADING, FILLING, OR OTHER LANDSCAPING SUBSEQUENT TO FINAL INSPECTION BY COUNTY HEALTH DEPARTMENT, WHICH ADVERSELY AFFECTS THE FUNCTION OF THE ON-SITE SEWAGE MANAGEMENT SYSTEM, MAY RENDER APPROVAL VOID. INSTALLATION CONTRACTOR IS RESPONSIBLE FOR LOCATING PROPER DISTANCES FROM BUILDINGS, WALLS, PROPERTY LINES, ETC.

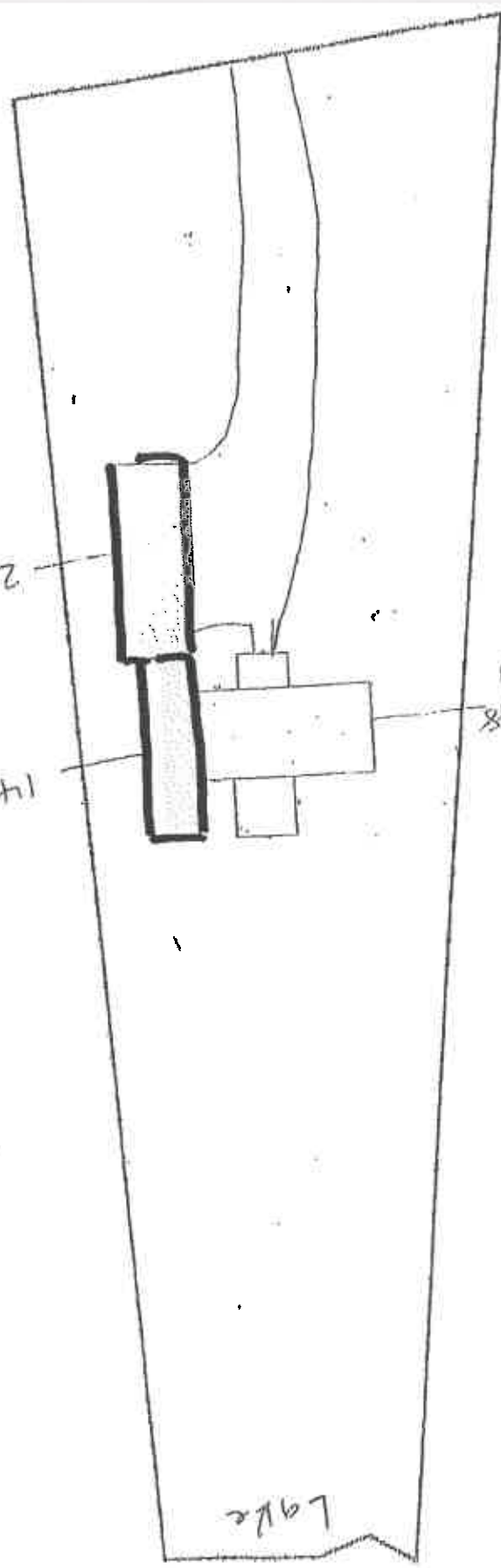
ISSUANCE OF A CONSTRUCTION PERMIT FOR AN ON-SITE SEWAGE MANAGEMENT SYSTEM, AND SUBSEQUENT APPROVAL OF SAME BY REPRESENTATIVES OF THE GEORGIA DEPARTMENT OF HUMAN RESOURCES OR COUNTY BOARD OF HEALTH SHALL NOT BE CONSTRUED AS A GUARANTEE THAT SUCH SYSTEMS WILL FUNCTION SATISFACTORILY FOR A GIVEN PERIOD OF TIME; FURTHERMORE, SAID REPRESENTATIVES DO NOT, BY ANY ACTION TAKEN IN REPORTING COMPLIANCE WITH THESE RULES, ASSUME ANY LIABILITY FOR DAMAGES WHICH ARE CAUSED, OR WHICH MAY BE CAUSED, BY THE MALFUNCTION OF SUCH SYSTEM.

APPROVING ENVIRONMENTALIST: 	TITLE: EHS III	DATE: 4-30-21	CONSTRUCTION PERMIT NUMBER: 117018611
--	--------------------------	-------------------------	---

20 x 70 Shout

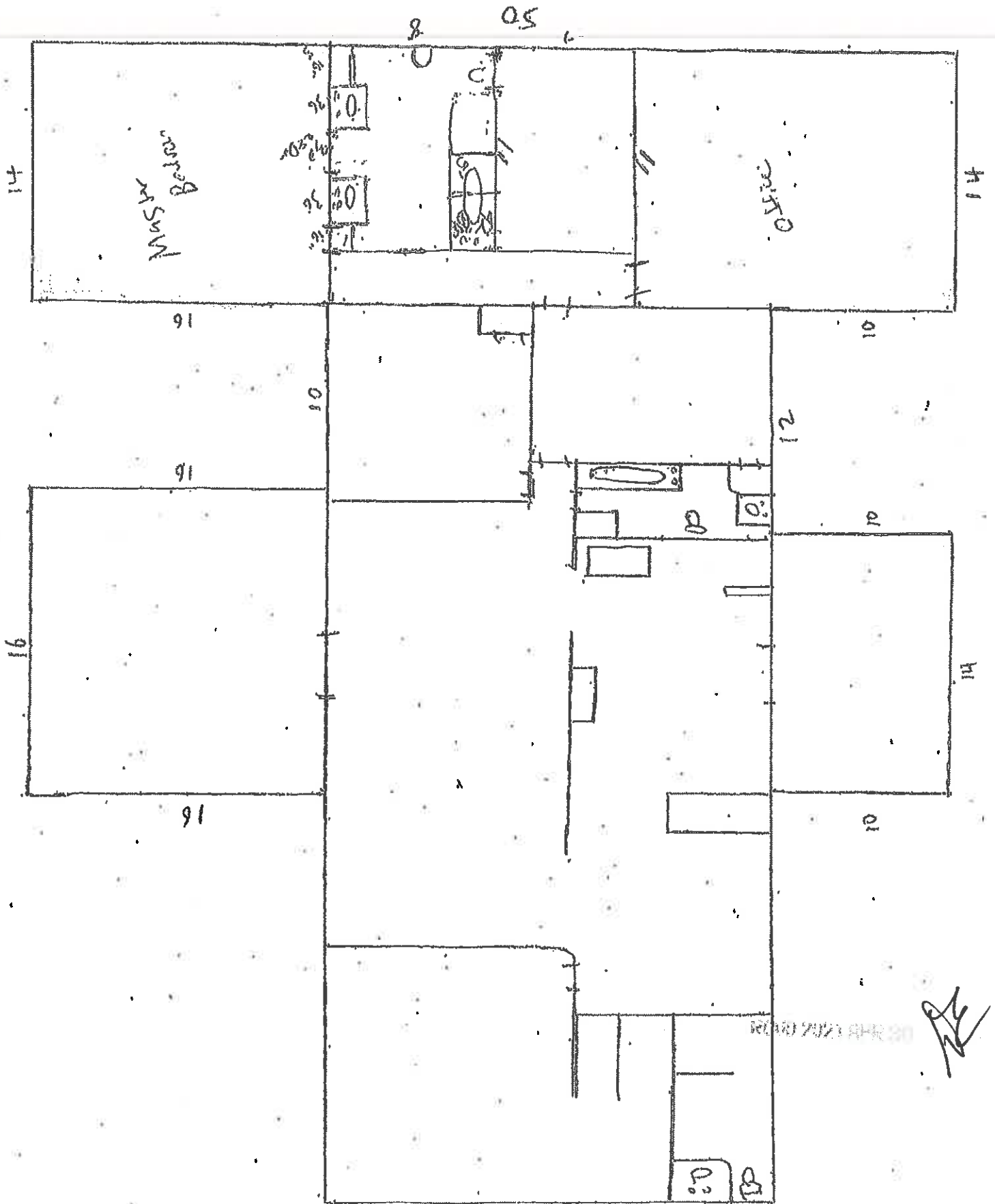
14 x 50 addition

24 x 48 Home existing



L912

Handwritten signature or initials



RECEIPT (



BILLING CONTACT
Keith Davis
LWJM Properties, LLC.
667 Madison Rd
Eatonton, GA 31024

**PUTNAM COUNTY
PLANNING &
117 PUTNAM DRIVE
EATONTON, GA 31024
7064852776**



Cashier: Dorothy
Transaction 101802

REFERENCE NUMBER FEE NAME

REFERENCE NUMBER	FEE NAME
PLAN2021-00907	Variance/Conditional Use Application

Total \$220.00
 CREDIT CARD SALE \$220.00
 MASTERCARD 8571
 30-Apr-2021 11:58:40A
 \$220.00 | Method: KEYED
 MASTERCARD
 XXXXXXXXXXXX8571
 MANUALLY ENTERED
 Reference ID: 112000512738
 Auth ID: 040519
 MID: *****8883
 AthNtwkNm: MASTERCARD

PAYMENT METHOD AMOUNT PAID

redit Card	\$220.00
SUB TOTAL	\$220.00

TOTAL \$220.00

Online: <https://clover.com/p/47PERJGTKHXVG>

Payment 47PERJGTKHXVG
Clover Privacy Policy
<https://clover.com/privacy>



PUTNAM COUNTY PLANNING & DEVELOPMENT

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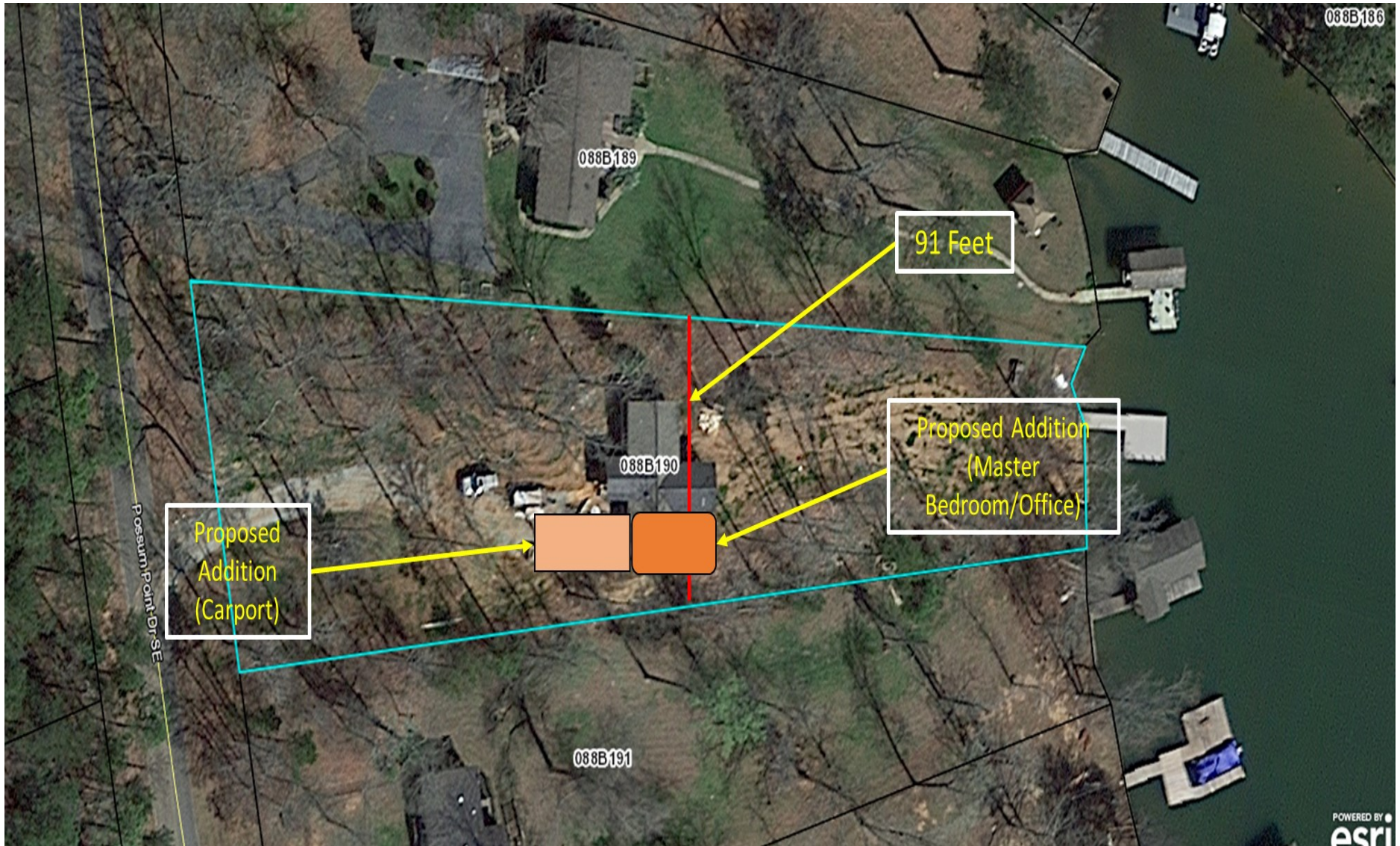
Staff Recommendations

Thursday, June 03, 2021, ♦ 6:30 PM

Putnam County Administration Building – Room 203

Requests

7. Request by **Keith Davis (LWJM Properties)** for a right-side setback variance at 364 Possum Pt. Rd. Presently zoned R-2. [**Map 088B, Parcel 190, District 4**]. The applicant is requesting a 7.5-foot right side setback variance being 12.5-feet from the right property line when facing the lake. He plans to add a master suite/office and a carport. The master suite/office will measure 14ft.x50ft, and the carport/pole barn measures 20ft.x70ft. The home will increase the footprint from 1,152 square feet to 1,852 square feet of heated space. The property narrows toward the lake to 91 feet in width, which is the area that requires the variance to make the proposed improvements. Consequently, this lot is non-conforming according to Putnam County, Code of Ordinances, Chapter 66-85(c). In addition, the septic system is located on the opposite side of the house when facing the lake. Due to the location of the septic system and the non-conforming lot size in the buildable area, a variance is needed to make the proposed improvements. Therefore, this request meets the conditions stated in Putnam County, Code of Ordinances, Chapter 66-157(c)(1).



The staff recommendation is for approval of an 7.5-foot right side setback variance, being 12.5 feet from the right side property line at 364 Possum Point Drive [Map 088B, Parcel 190].

New Business
Adjournment

The Planning & Zoning Commission meeting will be conducted pursuant and in accordance with O.C.G.A. Chapter 36-66.

Notice: All opponents to any rezoning request on the Planning & Zoning Commission and the Board of Commissioners agendas must file a disclosure of campaign contributions with the Planning & Development Department within five calendar days prior to public hearings if you have contributed \$250.00 or more to an elected official in Putnam County within the last five years.

*The Putnam County Board of Commissioners will hear these agenda items on June 15, 2021 at 6:30 P.M., in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, GA 31024.

The full meeting package can be reviewed in the Planning & Development office upon request.

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits.

The Board of Commissioners' hearing will be conducted pursuant to O.C.G.A. 50-14-1 and Section 66-152 of the Putnam County Code of Ordinances and meets the requirements of the Zoning Procedures Laws established in O.C.G.A 36-66.

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.