

City of Guyton, Georgia  
PLANNING AND ZONING  
PUBLIC HEARING AND MEETING  
November 22, 2022 at 7:00 P.M.



**C.D. Dean, Jr., Public Safety Complex**  
**GUYTON GYMNASIUM**  
**505 Magnolia Street**  
**Guyton, GA 31312**

---

**AGENDA**

1. **Call to Order**
2. **Public Hearing for Request for Special Use Permit - Parcel No. G0080005 requesting a special use permit for the purpose of Distilled Package Sales. This property is approximately 1.34 acres located at 97 Springfield Ave., Guyton, GA 31312**
3. **Invocation and Pledge of Allegiance**
4. **Consideration to Approve Agenda**
5. **Consideration to Approve Minutes of Meetings**

August 24, 2021	Public Hearing and Meeting
September 28, 2021	Public Hearing and Meeting
February 3, 2022	Public Hearing and Special Called Meeting
March 22, 2022	Public Hearing and Meeting
May 24, 2022	Public Hearing and Meeting
October 4, 2022	Public Hearing and Special Called Meeting
November 1, 2022	Public Hearing and Special Called Meeting
6. **Old Business**
  - a. Consideration of approving Special Use Permit - Parcel No. G0080005 requesting a special use permit for the purpose of Distilled Package Sales. This property is approximately 1.34 acres located at 97 Springfield Ave., Guyton, GA 31312
7. **Consideration to Adjourn**

## Rules of Decorum for All Meetings

The purpose of the Rules of Decorum is to foster an atmosphere of civil and courteous discourse, even and especially when discussing contentious topics, at all meetings held by the City of Guyton.

(a) General rules applicable to all (Mayor and Council, Staff, Members of the Public)

1. Each speaker will direct his or her comments to the Mayor and or presiding officer and not to any other individual present.
2. Each speaker will refrain from personal attacks, foul or abusive language, and will maintain a civil and courteous manner and tone.
3. Each speaker will speak only about agenda items. Members of the public will be limited to 3:00 minutes speaking time.
4. Members of the audience will respect the rights of others and will not create noise or other disturbances that will disrupt or disturb persons who are addressing the Mayor and Council or Committee or Board or Commission, or members of those bodies who are speaking, or otherwise impede the orderly conduct of the meeting.

(b) Additional Rules for Members of Mayor and Council, Committees, Boards or Commissions

1. Members of Mayor and Council, Committees, Boards or Commissions will conduct themselves in a professional and respectful manner at all meetings.
2. Members of Mayor and Council, Committees, Boards or Commissions will not speak until recognized by the Mayor or presiding officer.
3. Remarks by members of Mayor and Council, Committees, Boards or Commissions will be directed to the Mayor or presiding officer and not to individuals, other Council, Committee, Board or Commission members, staff or Members of the public in attendance. Questions for staff or individuals or other Council, Committee, Board or Commission members will be directed to the Mayor or presiding officer, who will then direct the appropriate person to answer.
4. Members of Mayor and Council, Committees, Boards or Commissions are always free to criticize or question policies, positions, data or information presented. However, members of Mayor and Council, Committees, Boards or Commissions will not attack or impugn the person presenting.

(c) Enforcement

The Mayor or presiding officer has the authority to enforce each of the Rules of Decorum regarding members of the public. If any Rule is violated, the Mayor or presiding officer will give the speaker a warning, citing the Rule being violated, and telling the speaker that a second violation will result in a forfeiture of the right to speak further. The Mayor or presiding officer also may have the offending speaker removed from the meeting if the misconduct persists. The Mayor or presiding officer shall not have any power under this provision regarding a Council, Committee, Board or Commission member.



**City of Guyton  
Planning and Zoning Committee  
Hearing Minutes  
August 24, 2021– 6:00 p.m.**

MINUTES OF MEETING

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a public hearing and committee meeting on August 24, 2021, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 6:00 p.m. Chairman Mr. Lon Harden, Ms. Tamela Mydell, Ms. Diann Hicklen, Ms. Dana Lee, and Mr. Mike Gerwig were at this meeting. **Other Administrative Staff Present – Interim** City Manager Mike Eskew and City Clerk Meketa Brown were present. **Guest Present** - The guests sign-in sheets are filed in the office of the City Clerk.

---

**Call to Order – Mr. Harden opened the Public Hearing**

**NEW BUSINESS**

**Request for Rezoning – Parcel No. G0010037 is requesting zoning of the property to be changed from R-1 to C-1. This is approximately 1.26 acres located at 108 Central Blvd., Guyton, GA 31312.**

**Public Comments (Limited to Agenda Items only)**

**Consideration to adjourn-** Mydell made a motion to approve. Gerwig seconded. **Motion passed unanimously.** Meeting adjourned at approximately 6:22 p.m.

---

City of Guyton

\_\_\_\_\_  
Lon Harden, Chairperson

Attest:

\_\_\_\_\_  
Meketa H. Brown, City Manager



**City of Guyton  
Planning and Zoning Committee  
Meeting Minutes  
August 24, 2021– 7:00 p.m.**

**MINUTES OF MEETING**

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a public hearing and committee meeting on August 24, 2021, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 7:00 p.m. Chairman Mr. Lon Harden, Ms. Tamela Mydell, Ms. Diann Hicklen, Ms. Dana Lee, and Mr. Mike Gerwig were at this meeting. **Other Administrative Staff Present** – City Manager Meketa H. Brown was present. **Guest Present** - The guests sign-in sheets are filed in the office of the City Clerk.

---

**Invocation** – Mydell gave the invocation.

**Pledge of Allegiance** – The Pledge of Allegiance was led by Gerwig.

**Consideration to approve agenda** – Hicklen made a motion to approve the agenda as presented. Mydell seconded the motion. **Motion passed unanimously.**

**NEW BUSINESS**

**Consideration to recommend rezoning of 108 Central Blvd from R-1 to C-1** – Hicklen made a motion. Gerwig seconded. **Motion passed unanimously.**

**Consideration to adjourn-** Mydell made a motion to approve. Gerwig seconded. **Motion passed unanimously.** Meeting adjourned at approximately 07:15pm.

---

City of Guyton

\_\_\_\_\_  
Lon Harden, Chairperson

Attest:

\_\_\_\_\_  
Meketa H. Brown, City Manager



**City of Guyton**  
**Planning and Zoning Committee Public Hearing**  
**September 28, 2021– 6:00 p.m.**

MINUTES OF MEETING

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a public hearing on September 28, 2021, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 6:00 p.m. Chairman Mr. Lon Harden, Ms. Tamela Mydell, Ms. Diann Hicklen, and Mr. Mike Gerwig were at this meeting. **Other Administrative Staff Present** – Mayor Russ Deen, Interim City Manager Mike Eskew, City Clerk Meketa H. Brown were present. **Guest Present** - The guests sign-in sheets are filed in the office of the City Clerk.

---

**Invocation** – Mydell gave the invocation.

**Pledge of Allegiance** – The Pledge of Allegiance was led by Gerwig.

**Consideration to approve agenda** – Hicklen made a motion to approve the agenda as presented. Mydell seconded the motion. **Motion passed unanimously.**

**NEW BUSINESS**

**Consideration of request of variance to Parcel 02950053 to reduce parking spaces from 52 to 43 of said property located at GA Hwy 17, 1.18 acres**

**Public Comments** – Collins Moe

**Consideration to adjourn-** **Motion passed unanimously.** Meeting adjourned at approximately 06:24pm.

---

City of Guyton

\_\_\_\_\_  
Lon Harden, Chairperson

Attest:

\_\_\_\_\_  
Meketa H. Brown, City Manager



**City of Guyton  
Planning and Zoning Committee Meeting  
September 28, 2021– 7:00 p.m.**

**MINUTES OF MEETING**

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a committee meeting on September 28, 2021, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 7:00 p.m. Chairman Mr. Lon Harden, Ms. Tamela Mydell, Ms. Diann Hicklen, and Mr. Mike Gerwig were at this meeting. ***Other Administrative Staff Present*** – Mayor Russ Deen, Interim City Manager Mike Eskew, and City Clerk Meketa Brown were present. ***Guest Present*** - The guests sign-in sheets are filed in the office of the City Clerk.

---

**Invocation** – **Hicklen** gave the invocation.

**Pledge of Allegiance** – The Pledge of Allegiance was led by **Mydell**.

**Consideration to approve agenda** – **Hicklen** made a motion to approve the agenda as presented. **Gerwig** seconded the motion. **Motion passed unanimously.**

**NEW BUSINESS**

**Public Comments** – **Collins Moe** – **Twin Rivers Capital**

**Consideration of the variance request of Parcel 02950053 to reduce parking from 52 to 43 spaces. Number of acres: 1.18. The property is located at GA Hwy 17 in Guyton.** – **Hicklen** made a motion. **Mydell** seconded. **Motion passed unanimously.**

**Consideration to adjourn-** **Mydell** made a motion. **Hicklen** seconded. **Motion passed unanimously.** Meeting adjourned at approximately 07:15pm.

---

City of Guyton

\_\_\_\_\_  
Lon Harden, Chairperson

Attest:

\_\_\_\_\_  
Meketa H. Brown, City Clerk



**City of Guyton  
Planning and Zoning Committee  
Public Hearing Minutes  
February 3, 2022 – 6:30 p.m.**

**MINUTES OF MEETING**

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a public hearing and special called committee meeting on February 3, 2022, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 6:30 p.m. Mr. Lon Harden, Mr. Mike Gerwig, and Ms. Tamela Mydell were at this meeting. **Other Administrative Staff Present** – Mayor Russ Deen, City Manager Meketa H. Brown was present. **Guest Present** - The guests sign-in sheets are filed in the office of the City Clerk.

---

**Pledge of Allegiance** – The Pledge of Allegiance was led by **Gerwig**.

**Invocation** – **Mydell** gave the invocation.

**Public Hearing regarding Request for Annexation and Rezoning** – Parcel No. 03190043, 03190046, and 0319040A00 requesting annexation into the City of Guyton and subsequent rezoning. The Applicant requests that approximately 3.28 acres of the property change from Effingham County zoning designation AR-2 (Parcel 03190043), AR-1 (Parcel 03190046), and AR – 2 (Parcel 03190040A00) to City of Guyton zoning designation R-1. This property is located at:

Parcel 03190043 Brogdon Road, Legal Description .66 AC County, SEE G18-83 (Deed Book 2400, Page 329).

Parcel 03190046 Brogdon Road, Legal Description 1.12 AC CNT, SEE 46A-73INC (Deed Book 2416, Page 308).

Parcel 03190040A00 Brogdon Road, Legal Description 1.50 AC out of 46a-72 (Deed Book 2400, Page 328).

**Public Comments**

**Consideration to recommend Rezoning** – Parcel No. 03190043, 03190046, and Parcel No. 03190040A00 at 313 Brogdon Road – requesting Annexation into the City of Guyton – **Mydell** made a motion to grant Mr. Hines permission for rezoning. **Gerwig** seconded the motion. **Motion passed unanimously.**

**Consideration to adjourn-** **Mydell** made a motion. **Gerwig** seconded the motion. Meeting adjourned at approximately 06:50pm.

---

City of Guyton

---

Lon Harden, Chairperson

Attest:

---

Meketa H. Brown, City Manager





**City of Guyton  
Planning and Zoning Committee  
Public Hearing and Meeting Minutes  
March 22, 2022– 7:00 p.m.**

**MINUTES OF MEETING**

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a public hearing and committee meeting on March 22, 2022, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 7:00 p.m. Mr. Lon Harden, Mr. Mike Gerwig, Ms. Diann Hicklen, and Ms. Keawanna Green were at this meeting. **Other Administrative Staff Present** – City Manager Meketa H. Brown was present. **Guest Present** - The guests sign-in sheets are filed in the office of the City Clerk.

---

**Invocation** – **Hicklen** gave the invocation.

**Pledge of Allegiance** – The Pledge of Allegiance was led by **Gerwig**.

**Consideration to approve agenda** – **Hicklen** made a motion to approve the agenda as presented. Gerwig seconded the motion. **Motion passed unanimously.**

**NEW BUSINESS**

**Consideration to recommend approval to Ordinance 2022-05 AMENDING THE CITY OF GUYTON, GEORGIA ZONING ORDINANCE TO DESIGNATE LIQUOR STORES AS A SPECIAL PERMITTED USE IN THE CITY OF GUYTON’S C-1, C-2, AND C-3 ZONING DISTRICTS** – **Gerwig** made a motion. **Hicklen** seconded. **Motion passed unanimously.**

**Consideration to adjourn-** **Gerwig** made a motion to approve. **Hicklen** seconded. **Motion passed unanimously.** Meeting adjourned at approximately 07:05pm.

---

City of Guyton

\_\_\_\_\_  
Lon Harden, Chairperson

Attest:

\_\_\_\_\_  
Meketa H. Brown, City Manager



**City of Guyton  
Planning and Zoning Committee  
Public Hearing and Meeting Minutes  
May 24, 2022– 7:00 p.m.**

**MINUTES OF MEETING**

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a public hearing and committee meeting on May 24, 2022, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 7:00 p.m. Mr. Lon Harden, Mr. Mike Gerwig, and Ms. Keawanna Green were at this meeting. **Other Administrative Staff Present** – City Manager Meketa H. Brown was present. **Guest Present** - The guests sign-in sheets are filed in the office of the City Clerk.

---

**Pledge of Allegiance** – The Pledge of Allegiance was led by Green.

**Invocation** – Gerwig gave the invocation.

**Consideration to approve agenda** – Gerwig made a motion to approve the agenda as presented. Green seconded the motion. **Motion passed unanimously.**

**Reading of Ordinance No. 2022-06 to AMEND THE ZONING ORDINANCE AND OFFICIAL ZONING MAP OF THE CITY OF GUYTON, GEORGIA, AS AMENDED; TO REZONE FROM R-1 ZONING CLASSIFICATION TO C-1 ZONING CLASSIFICATION CERTAIN REAL PROPERTY OWNED BY 1004 KENS GUYTON IGA, LLC AND KNOWN AS PARCEL NO. G0080-00000-005A00, LOCATED AT 0 SPRINGFIELD AVE, GUYTON, GA 31312;**

**Clark O’Barr, civil engineer for Maxwell Reddick and Associates gave presentation for:**

**NEW BUSINESS**

**Consideration to recommend approval to Ordinance 2022-06 to AMEND THE ZONING ORDINANCE AND OFFICIAL ZONING MAP OF THE CITY OF GUYTON, GEORGIA, AS AMENDED; TO REZONE FROM R-1 ZONING CLASSIFICATION TO C-1 ZONING CLASSIFICATION CERTAIN REAL PROPERTY OWNED BY 1004 KENS GUYTON IGA, LLC AND KNOWN AS PARCEL NO. G0080-00000-005A00, LOCATED AT 0 SPRINGFIELD AVE, GUYTON, GA 31312;**– Gerwig made a motion. Green seconded. **Motion passed unanimously.**

**Consideration to adjourn-** Meeting adjourned at approximately 07:18pm.

---

City of Guyton

---

Lon Harden, Chairperson

Attest:

---

Meketa H. Brown, City Manager



**City of Guyton  
Planning and Zoning Committee  
Public Hearing Minutes  
October 4, 2022– 6:00 p.m.**

**MINUTES OF MEETING**

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a public hearing and committee meeting on October 4, 2022, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 6:00 p.m. Mr. Lon Harden, Mr. Mike Gerwig, Ms. Diann Hicklen, and Ms. Keawanna Green were at this meeting. **Other Administrative Staff Present** – City Manager Meketa Brown and City Clerk Matthew Walker were present. **Guest Present** - The guest sign-in sheets are filed in the office of the City Clerk.

---

**Public Hearing for Request for Special Use Permit – Parcel No. G0080005 requesting a special use permit for the purpose of Distilled Package Sales. This property is approximately 1.34 acres located at 97 Springfield Ave., Guyton, GA 31312**

**Chirag Patel gave presentation on his plans for liquor store and his experience managing liquor stores.**

**Leslie Pevey, son of Betty Zipperer – Ms. Zipperer is in favor of liquor store. She is concerned with the appearance of stores and would like some sort of barrier separating her property from stores.**

**Gail Jackson Bank spoke in opposition to the liquor store/retail stores going in across the street from her property. She stated that it will cause traffic problems as well as change the look of downtown Guyton for the worse.**

**Due to errors in the official zoning map of Guyton, no special called meeting was held. Therefore, no action was taken.**

**Public Hearing adjourned at approximately 6:27pm.**

---

City of Guyton

\_\_\_\_\_  
Lon Harden, Chairperson

Attest:

\_\_\_\_\_  
Matthew D. Walker, City Clerk



**City of Guyton  
Planning and Zoning Committee  
Public Hearing and Special Called Meeting Minutes  
November 1, 2022– 7:00 p.m.**

MINUTES OF MEETING

---

**Call to Order** – The City of Guyton’s Planning and Zoning Committee held a public hearing and committee meeting on October 4, 2022, at the City of Guyton Gymnasium at 505 Magnolia Street in Guyton. This meeting was called to order by Lon Harden at approximately 7:00 p.m. Mr. Lon Harden, Mr. Mike Gerwig, and Ms. Diann Hicklen were at this meeting. **Other Administrative Staff Present** – City Manager Meketa Brown was present. **Guest Present** - The guest sign-in sheets are filed in the office of the City Clerk.

---

**Public Hearing regarding corrections to the Official Zoning Map of the City of Guyton**

**Consideration to recommendation regarding corrections to the Official Zoning Map of the City of Guyton** – **Hicklen** made a motion to approve recommendation regarding corrections to the Official Zoning Map of the City of Guyton. **Gerwig** seconded. **Motion passed unanimously.**

**Consideration to adjourn** - **Hicklen** made a motion to adjourn. **Gerwig** seconded. **Hearing adjourned at approximately 7:15pm.**

---

City of Guyton

\_\_\_\_\_  
Lon Harden, Chairperson

Attest:

\_\_\_\_\_  
Matthew D. Walker, City Clerk



# CITY OF GUYTON

PO Box 99 Guyton, Georgia 31312  
Telephone – 912.772.3353 Fax – 912.772.3152  
www.cityofguyton.com  
*Working Together to Make a Difference*

## Special Permit Use Application

Applicant Name: Chirag Patel

Applicant Mailing Address: 230 Tanzinia Trail, Pooler, GA 31322

Phone Number: 770-905-5876 Email Address: patel563@gmail.com

Street Address of Property: 97 Springfield Ave. Guyton, GA 31312

Describe the requested special use: Liquor Store

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(continue on back of page if needed)

I am the owner of the property: YES NO  X  
(If you are not the property owner, written permission from the owner stating approval for this special permit use request must be attached)

C. M. Paul  
Applicants Signature

9/29/22  
Date

The Zoning Official or City Clerk will review this application and confirm if special permit use is required for requested use. If required, the applicant will initial below, acknowledging the public hearing dates and process needed for approval. Fee will be required at this time.

### To be completed by Zoning Official:

Parcel ID: G0080005 Current Zoning: C- 2

Code Section Affected: \_\_\_\_\_

Invoice Number: \_\_\_\_\_ Amount: \$120 Date Paid: 9/29/22

Planning & Zoning Public Hearing Date: 10/4/2022 CP

Notification sent: 9/9/2022 Planning and Zoning Decision: \_\_\_\_\_

Z:\Maxwell-Reddick & Associates\2022\2022-2021\Audubon Properties - Jay Thompson - 97 Springfield Ave\Engineering\Design\Conceptual Drawings\AVT-GUYTON CONCEPT 1, PLOT DATE: 10-18-2022 3:30 PM



BETTY ZIPPERER  
 TAX PARCEL ID G0080004  
 DB. 140, PG. 236  
 PB. 4, PG. 25  
 ZONED R-1

SHERMAN'S APPROACH, LLC  
 TAX PARCEL ID G0080011  
 DB. 2282, PG. 689  
 PB. 18, PG. 85  
 ZONED R-1

PROPOSED  
 RETAIL CENTER  
 ±11,680 SQFT

**NOTES:**

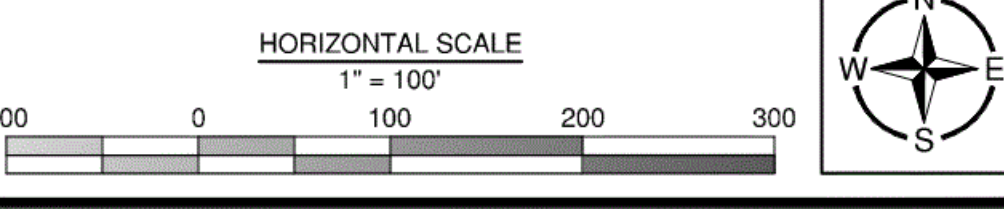
**SITE AREA:**  
 TOTAL AREA: ±1.34 ACRES

**SITE ZONING:**  
 EXISTING ZONING: R-1  
 PROPOSED ZONING: C-1

**BUILDING SETBACKS (REQ'D C-1):**  
 FRONT: 50 FT  
 SIDE: 15 FT (NONE IF ABUTTING SIMILAR ZONING)  
 REAR: 15 FT

**PARKING REQUIREMENT SUMMARY:**  
 RETAIL BUILDING AREA: ±11,680 SQFT  
 RETAIL: 11,680 SQFT X 1 SPACE / 300 SQFT FLOOR AREA = 38.9 SPACES  
 TOTAL REQUIRED PARKING = 39 SPACES  
**TOTAL PROPOSED PARKING SPACES: 63 SPACES**

\*BUFFER/SCREENING REQUIRED ALONG RESIDENTIAL ZONINGS



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

**MAXWELL-REDDICK  
AND ASSOCIATES, INC.**

**ENGINEERING &  
LAND SURVEYING**

40 JOE KENNEDY BLVD  
STATESBORO, GA 30458  
913-489-7112 OFFICE  
913-489-7125 FAX

NORTHWINDS III  
2500 NORTHWINDS PKWY.,  
SUITE 300  
ALPHARETTA, GA 30009  
404-893-1618 OFFICE  
www.maxwred.com

NOTE TO CONTRACTOR: IF ANY DISCREPANCIES BETWEEN THE ENGINEERS PLANS OR CONSTRUCTION STAKES AND ACTUAL SITE CONDITIONS ARISE DURING THE COURSE OF CONSTRUCTION THE CONTRACTOR AND/OR DEVELOPER SHALL NOTIFY THE ENGINEER IMMEDIATELY. THE CONTRACTOR KNOWS OR CAN REASONABLY BE EXPECTED TO HAVE KNOWLEDGE OF ANY DISCREPANCIES AND SHALL BE RESPONSIBLE FOR REPORTING THE SAME. THE CONTRACTOR SHALL NOT BE ENTITLED TO COMPENSATION FOR ANY WORK OR EXPENSE INCURRED BY HIM, WHICH IS REQUIRED TO CORRECT SUCH DISCREPANCIES, AND WHICH WOULD HAVE BEEN AVOIDED HAD HE PROMPTLY REPORTED SAID DISCREPANCIES OR CONTACTED THE ENGINEER IMMEDIATELY UPON DISCOVERY THEREOF. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL FEES PAID TO THE ENGINEER AND ASSOCIATES FOR THE PROJECT. THE ENGINEER AND ASSOCIATES SHALL NOT BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS WHICH WOULD HAVE BEEN AVOIDED HAD HE PROMPTLY REPORTED SAID DISCREPANCIES OR CONTACTED THE ENGINEER IMMEDIATELY UPON DISCOVERY THEREOF.

**PROPOSED COMMERCIAL RETAIL  
97 SPRINGFIELD AVE.  
CITY OF GUYTON, GA**

**CONCEPTUAL LAYOUT PLAN**

DRAWN BY: THR  
DATE: OCT. 18, 2022  
JOB NO.: 2022-291  
SCALE: AS SHOWN

DRAWING NUMBER  
**C1.0**  
SHEET NUMBER 1

### Section 1004 Temporary Permit

The Planning and Zoning Director is authorized to exercise his discretion to grant temporary permits for the uses listed below—upon finding there exists a substantial need for a limited period of time, that the temporary permit is necessary for the owner to enjoy reasonable and substantial property rights, and that the temporary permit will not create an adverse impact on other properties or persons within the vicinity, subject to the applicable conditions for each individual temporary use and provided it is determined such uses will cause no traffic congestion. Any application for a permit for a temporary use not allowed for in this ordinance shall be requested of the City Council. Applications for temporary permits will be made on substantially the same form as shall be available at City Hall, and the action taken on such application shall be noted on the same form. Each application for temporary permit shall be filed with the Planning and Zoning Director and shall be have the notation of the Planning and Zoning Director that the appropriate fee has been paid to the city by applicant.

- (1) Carnival or circus, in approved open areas, for a period not to exceed three weeks, and subject to approval by the City Council.
- (2) Religious meeting in a tent or other temporary structure, in an approved open area, for a period not to exceed forty days and forty nights.
- (3) Open lot sale of Christmas trees, in an approved area, for a period not to exceed forty-five days.
- (4) Contractor's office and equipment sheds, for a period of twelve months, provided that such office is placed on the property to which it is appurtenant.

### Section 1005 Special Permit Uses

The uses listed under the various land use districts (Article Six) as "special permit uses" are so classified because they more intensely dominate the area in which they are located than do other uses, which are called permitted uses. Special permit uses are uses which would not normally be appropriate in a district unless strictly controlled as to size, lot coverage, impact on public services, visibility, traffic and other such characteristics. The following procedure is established to integrate the special permit uses with other land uses located in the district. These uses shall be reviewed and authorized or rejected under the following procedure:

- (1) When applying for a building permit, the applicant shall be informed by the Planning and Zoning Director that the proposed use is a Special Permit Use. The matter will then be referred to the Planning and Zoning Commission;
- (2) An application for special permit use shall be filed with the Building and Zoning Clerk at least thirty (30) days prior to the next regularly scheduled meeting of the City Planning and Zoning Commission. Such application shall be in substantially the same form as shall be available at City Hall, shall contain all information requested thereon and any other material or information pertinent to the request which the Planning and Zoning Commission may require, and shall contain the notation of the Planning and Zoning Clerk that the appropriate fee has been paid to the City of Guyton.
- (3) Public Hearings, Public Hearing Procedures, and Standards for Special Use Permits



(A) Required Public Hearings

No official action shall be taken on any proposed Special Permit unless one (1) public hearing has been held. The public hearing shall be conducted by the Planning and Zoning Commission.

(B) Procedure for Calling a Public Hearing

1. Prior to scheduling required public hearings, applicants shall complete all submission requirements provided by the Planning and Zoning Director (e.g., forms, fees, deeds, maps, etc).
2. The Planning and Zoning Director shall then notify the applicant of the date, time, and place of the required public hearing.
3. At least 16, but not more than 44 days prior to scheduled public hearings, the Planning and Zoning Director shall publish in the newspaper of general circulation, notice of the date, time, place, and purpose of the public hearing.
4. Not less than 15 days prior to the date of a public hearing, the Planning and Zoning Director shall post in a conspicuous location on the property in question a sign which shall contain information regarding the proposed Special Permit; specifically, the date, time, place, and purpose of the public hearing.
5. The primary goal of conducting public hearings on a proposed special permit shall be to solicit pertinent factual information which will be beneficial in helping the Planning and Zoning Commission judge the merits of each specific proposed special permit.
  - a. **Notice to Property Owners.** The Planning and Zoning Director shall give notice of the date, time, place, and purpose of public hearings to be held by the Commission on proposed special permits or supplements by mail to the owners of all properties abutting any part of the property variances proposed to be changed. The failure to notify as provided in this section, shall not invalidate any recommendations or action adopted hereunder.
  - b. **Action of Planning and Zoning Commission.** The Planning and Zoning Commission may approve the application as requested, or it may require conditions for approval, or it may deny the application.
  - c. **Denial of Special Permits.** If the decision of the Planning and Zoning Commission is to deny the Special Permit, then the same property may not again be considered for a Special Permit until the expiration of at least six ( 6 ) months immediately following denial of the Special Permit by the Planning and Zoning Commission.
  - d. **Appeals of Decision.** Appeals of the Planning and Zoning Commission decision shall go to the City Council. A written appeal must be submitted to the Planning and Zoning Director within fifteen (15) days of the decision from which appeal is taken.

(C) Procedure for Conducting a Public Hearing

Public hearings on special permits shall be conducted in the same manner as described in Section 1205 for zoning amendments.

(D) Standards for Special Use Permits

A Special Use Permit may be granted by the Planning and Zoning Commission only if the applicant establishes to the satisfaction of the Planning and Zoning Commission that:

1. Neither the proposed use nor the proposed site upon which the use will be located will have significant adverse impact upon the value or quiet possession of surrounding properties greater than would normally occur from generally permitted uses in the zoning district. In reaching a determination on this standard, the Planning and Zoning Commission (or City Council if applicable) shall consider:
  - a. The size of the proposed use compared with the surrounding uses;
  - b. The intensity of the proposed use including amount to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses.
  - c. The potential generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances;
  - d. Unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties;
  - e. The degree to which landscaping, fencing and other design elements have been incorporated to mitigate adverse impacts on surrounding properties.
2. City or other facilities serving the proposed use will not be overburdened or hazards created because of inadequate facilities. In reaching a determination on this standard, the commission shall consider:
  - a. The ability of the traffic to safely move into and out of the site at the proposed location;
  - b. The presence of facilities to assure the safety of pedestrians passing by or through the site;
  - c. The capacity of the street network to accommodate the proposed use;
  - d. The capacity of the sewerage and water supply systems to accommodate the proposed use;
  - e. The capacity of the storm drainage system to accommodate the proposed use;
  - f. The ability of the fire department to provide necessary protection services to the site and development.
3. The natural characteristics of the site, including topography, drainage, and relationship to ground and surface waters and floodplain shall not be such that the proposed use when applied on the site will cause undue harm to the environment or to neighboring properties.

(E) Conditions of Special Permit Uses

Upon consideration of the standards listed in section (D) above, the Planning and Zoning Commission and/or the City Council may require such conditions, in addition to those required by other provisions of the Ordinance, as it finds necessary to ensure compliance with those standards and all other applicable requirements of this Ordinance. Violation of any of those conditions shall be a

violation of this Ordinance. Such conditions may include, but are not limited to, specifications for: type of landscaping/vegetation, increased setbacks and yards, specified sewage disposal and water supply facilities, hours of operation, operational controls, professional inspection and maintenance, sureties, location of piers, docks, parking and signs, and types of construction.

### Section 1006 Variances

The Planning and Zoning Commission may authorize a variance from the requirements of this ordinance where it can be shown that owing to special and unusual circumstances related to a specific lot strict application of the ordinance would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for a purpose not authorized within the zoning district in which the proposed use would be located. In granting a variance, the Planning and Zoning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity and otherwise achieve the purpose of this ordinance.

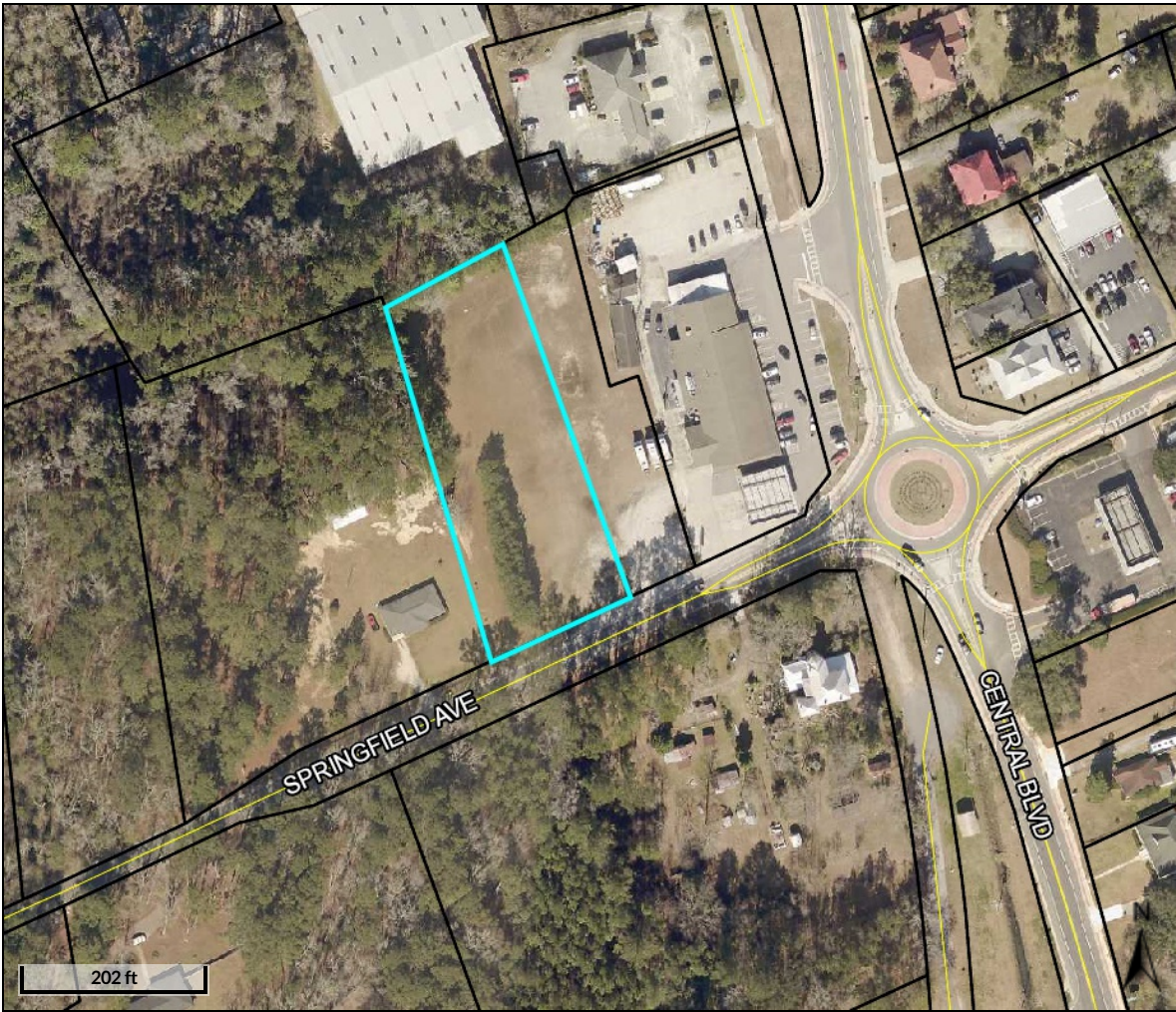
#### A. Conditions Governing the Granting of a Variance

A variance may be granted by the Planning and Zoning Commission only in the event that all of the following circumstances exist:

- (1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same vicinity, and result from lot size or shape, topography or other circumstances over which the owners of the property since enactment of this ordinance have had no control.
- (2) The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of property in the same zoning district or vicinity possess.
- (3) The variance would not materially be detrimental to the purposes of this ordinance or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objective of any city plan or policy.
- (4) The variance requested is the minimum variance which would alleviate the hardship.
- (5) The lot in question cannot yield a reasonable return unless the variance is granted.
- (6) The need for a variance is not the result of the action of the owner or previous owner.

#### B. Public Hearings, Public Hearing Procedures, and Procedures for Taking Action for Variances

- (1) Required Public Hearings  
No official action shall be taken on any proposed Variance unless a public hearing has been held by the Planning and Zoning Commission. Public Hearings on Variances shall be conducted in the same manner as described in Section 1205 for zoning amendments.
- (2) Procedure for Calling a Public Hearing
  - a. Prior to scheduling the required public hearings, applicants shall first complete all submission requirements provided by the Planning and Zoning Director (e.g., forms, fees, deeds, maps, etc.). A complete application must



Overview



Legend

- Parcels
- Roads

<b>Parcel ID</b>	G0080005	<b>Owner</b>	ANDRIK PROPERTIES LLC	<b>Last 2 Sales</b>			
<b>Class Code</b>	Residential		3639 WINFIELD LANE NW	<b>Date</b>	<b>Price</b>	<b>Reason</b>	<b>Qual</b>
<b>Taxing District</b>	02-Guyton		WASHINGTON, DC 20007	3/18/2015	0	U	U
	Guyton	<b>Physical Address</b>	97 SPRINGFIELD AVE	11/7/2005	\$250000	LM	Q
<b>Acres</b>	1.34	<b>Assessed Value</b>	Value \$53600				

(Note: Not to be used on legal documents)

Date created: 9/29/2022  
 Last Data Uploaded: 9/29/2022 12:49:41 AM

Developed by Schneider  
 GEOSPATIAL