



**BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION**

April 11, 2023

6:00 p.m.

City Hall Council Chambers

- I. DETERMINATION OF A QUORUM
- II. CALL TO ORDER AND INVOCATION
- III. APPROVAL OF MINUTES OF PREVIOUS MEETING
- IV. NEW BUSINESS:

**ITEM 1: CU-2023-004:** Applicant Amanda Winter is requesting a conditional use for a Short-Term Rental 810 Potter St. The property is 0.65 acres and is zoned Urban Residential 3 (UR-9).

- V. OLD BUSINESS

**ITEM 1:** Fence and Wall Ordinance Amendment

- VI. ADJOURNMENT

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**City Council Chambers**  
**BAINBRIDGE-DECATUR COUNTY PLANNING**  
**COMMISSION March 14, 2023**

**6:00 p.m.**

**City Council Chambers**

## **MINUTES**

**MEMBERS PRESENT:** Frank Flowers, John Marshall, Lachanda Mackey, Valerie Stubbs, Keenan Adams, Alan Davis

**MEMBERS ABSENT:** Jeff Rich

**OTHERS PRESENT:** Steve O'Neil, Jessica Hicks, Elisa Alexander, Alesia Brinson, Valorie Brinson, Celeste Peterson, Lewis Peterson

### **I. CALL TO ORDER**

Chairman Frank Flowers called the meeting to order at 6:00 P.M. then gave the invocation.

### **II. APPROVAL OF MINUTES OF PREVIOUS MEETING**

Minutes from the February 14th, 2023, meeting was presented to the Planning Commission. Commissioner Marshall made a motion to approve the minutes, seconded by Commissioner Mackey and passed unanimously.

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### III. NEW BUSINESS

**ITEM 1: CU-2022-007:** Applicant Alesia Brinson is requesting a conditional use for a Short-Term Rental at 809 S Bruton. The property is 0.55 acres and is zoned Urban Residential 6 (UR-6).

Alesia & Valorie Brinson came forward to speak on behalf of this item. This property will be occasional use only. Chairman Flowers informed Ms. Brinson that this is a new ordinance up until about a year and a half ago. There will be certain standards, she will have to obtain a license and taxes to maintain compliance. Mrs. Brinson stated that the property is newly renovated and just sitting there empty. Mrs. Brinson would prefer not to have a full-time resident. If it is going to sit there empty, she would rather use it for extra income. Mr. O'Neil stated that he did not encounter any opposition to the request at all. O'Neil stated that Ms. Brinson had a vacant property adjacent to the location that he stated she could use in the event of needing overflow parking. Motion was made by Commissioner Marshall to approve the conditional Short-term rental. The motion was seconded by Commissioner Adams and passed unanimously.

**ITEM 2: CU-2023-002:** Applicant Lewis & Celeste Peterson is requesting a conditional use for a 40x80 Pole barn for livestock at the property located at 1700 Belcher Ln (Parcel B0800012J00). The property is 3 acres and is zoned SR3.

Celeste & Lewis Peterson came forward to speak on behalf of this item. Mr. & Mrs. Peterson were unaware of the conditional use ordinance and are in attendance to renew the conditional use ordinance in their name. Chairman Flowers informed the Petersons that the committee is concerned about what they will use to mold and shape the conditional use request, sometimes they will deny the request of an expired conditional use to mold and shape the development of an area. Flowers also stated that previous uses for the property are also taken into consideration.

Mrs. Peterson informed the committee that they had already started building the pole barn, unaware of the ordinance and are here now trying to ensure that proper code and ordinance policies are followed. O'Neil placed a stop work order on the property until the situation could be voted on by the city.

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Mrs. Elisa Alexander came forward in opposition of the request. Mrs. Alexander lives directly across the street from the property. The residents that live on that road maintain the road themselves. Alexander recalled the previous horses that were on the property. Alexander stated that the horses were a nuisance, attracted vermin and insects, and smelled bad. She is trying to protect herself from anything that may jeopardize the value of her property.

Mr. O'Neil stated that he spoke with one neighbor that had no objections and another that is concerned with the density of animals for the acreage. The ordinance states 2 horses per acre with a minimum of 5 acres. O'Neil stated that to allow the conditional use, there are multiple variances that must be agreed upon first. The variances are setback variances and variance for the amount of land required. The ordinance states 5 acres and they only have 3 acres and only 2 acres are useable. The Petersons were building a 30x80 pole barn. The set back variance would extend into city owned land. The city has no issues with the variance. The request is allowable, horses don't generally make too much noise. If you were looking for a place to put horses, this wouldn't be a terrible place to put them. O'Neil did recommend that if the request passes, that there be no more than 4 horse on the property, ever. That includes horse sitting, caring for a horse for the weekend. At no point will the property ever graduate into adding or caring for any additional horses. Commissioner Marshall asked, when the last time there were horses on the property. Steve estimated that it had been 5+ years. He started with the city a couple days after hurricane Michael and there were no horses there at the time. Commissioner Marshall asked about any prior issues with the previous horses. Mrs. Alexander stated that they have had issues in the past with the horses getting out and the animal control having to come in and help get the horses back in the pen.

Chairman Flowers opened the floor for motion. Commissioner Marshall made a motion to accept with the conditions and variances. Motion was seconded by Stubbs. Motion passed unanimously.

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**ITEM 3:** DRAFT - Fence and Wall Ordinance Text Amendment for discussion only.

Steve O'Neil addressed the need to update the city Fence and Wall ordinance. O'Neil stated that the original reasoning behind the current ordinance, if you put a privacy fence up in the front yard, it presents a hazard to our emergency responders. However, we should be able to come up with an ordinance that will allow for residents to have a choice in what fence they use and still maintain the safety of our emergency responders.

O'Neil requested that the committee take some time over the next couple weeks to decide what type of changes or additions that we could make to the Fence and Wall ordinance that will appease our residents and the city.

IV. **Adjournment:** There being no more business, the meeting was adjourned.

V. **Old Business:**

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Dr. Frank Flowers, Chairman

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COMMISSION March 14, 2023  
6:00 p.m.  
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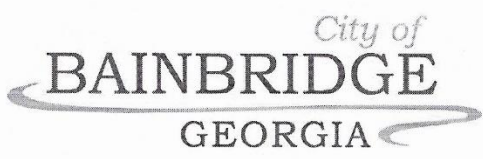
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Dr. Frank Flowers, Chairman





P.O. Box 158  
Bainbridge, Ga. 39818

www.bainbridgcity.com

Phone: 229-248-2000  
Fax: 229-246-7311

APPLICATION #: \_\_\_\_\_

FEE: \$150.00

### CONDITIONAL USE APPLICATION

NOTICE: State Law O.C.G.A. 36-66-4 requires, "a local government taking action resulting in a zoning decision shall provide for a hearing on the proposed action at least 15 but not more than 45 days prior to the date of the hearing, the local government shall cause to be published within a newspaper of general circulation, within the territorial boundaries of the local government, a notice of hearing."

Said notice shall state the time, place, and purpose of the hearing; therefore, applicants must submit their complete application, an application complying with the procedural requirements of the city's zoning ordinance and found to be complete with regard to application materials, payment of fees, supportive material and any other application requirements specified prior to the newspaper public notice advertising deadline date needed to fulfill the requirements of O.C.G.A. 36-66-4. The zoning administrator and/or his representative shall have at least 10 days prior to the advertising deadline date to determine whether an application is complete and eligible for advertisement. Applications submitted less than 10 days prior to the advertising deadline date are not guaranteed to be reviewed or included in the required advertising. Such applications shall be held until the next application cycle.

#### APPLICATION INFORMATION

APPLICANT(S): Amanda Winter  
ADDRESS: 16206 2nd St. East Redington Beach FL 33708  
PHONE: 727. 743.5271

#### PROPERTY INFORMATION

PROPERTY OWNER(S): Mark and Amanda Winter  
ADDRESS: 16206 2nd St. East Redington Beach FL 33708  
PHONE: 727. 743.5271  
LOCATION OF SUBJECT PROPERTY: 810 Patter St.  
Bainbridge GA 39819

**PROPERTY INFORMATION (continued)**

TAX MAP: \_\_\_\_\_ PARCEL: B0350114 SIZE (ACRES): 0.65

ZONING DESIGNATION OF SUBJECT PROPERTY: UR9

PROPOSED USE OF PROPERTY (BRIEF): AirBnB

REQUIREMENTS FOR CONDITIONAL USE REQUESTS

Conditional use request applications *must* include the following:

- 1. APPLICATIONS REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.1) ..... Page 5
- 2. PLAN REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.2) ..... Page 5
- 3. ANALYSIS REQUIREMENTS (Forms provided on page 3)  
(ZONING ORDINANCE TABLE 14.2.3) ..... Page 6

<u><i>CD Winter</i></u> <i>Property Owner Signature</i>	 <i>Submitted By:</i>
<u><i>Feb 17, 2023</i></u> <i>Date</i>	 <i>Date</i>

<b><u>DEPARTMENT USE ONLY</u></b>	
SUBMITTAL DATE: _____	DATE CERTIFIED COMPLETE: _____
 <i>Department Representative Signature</i>	

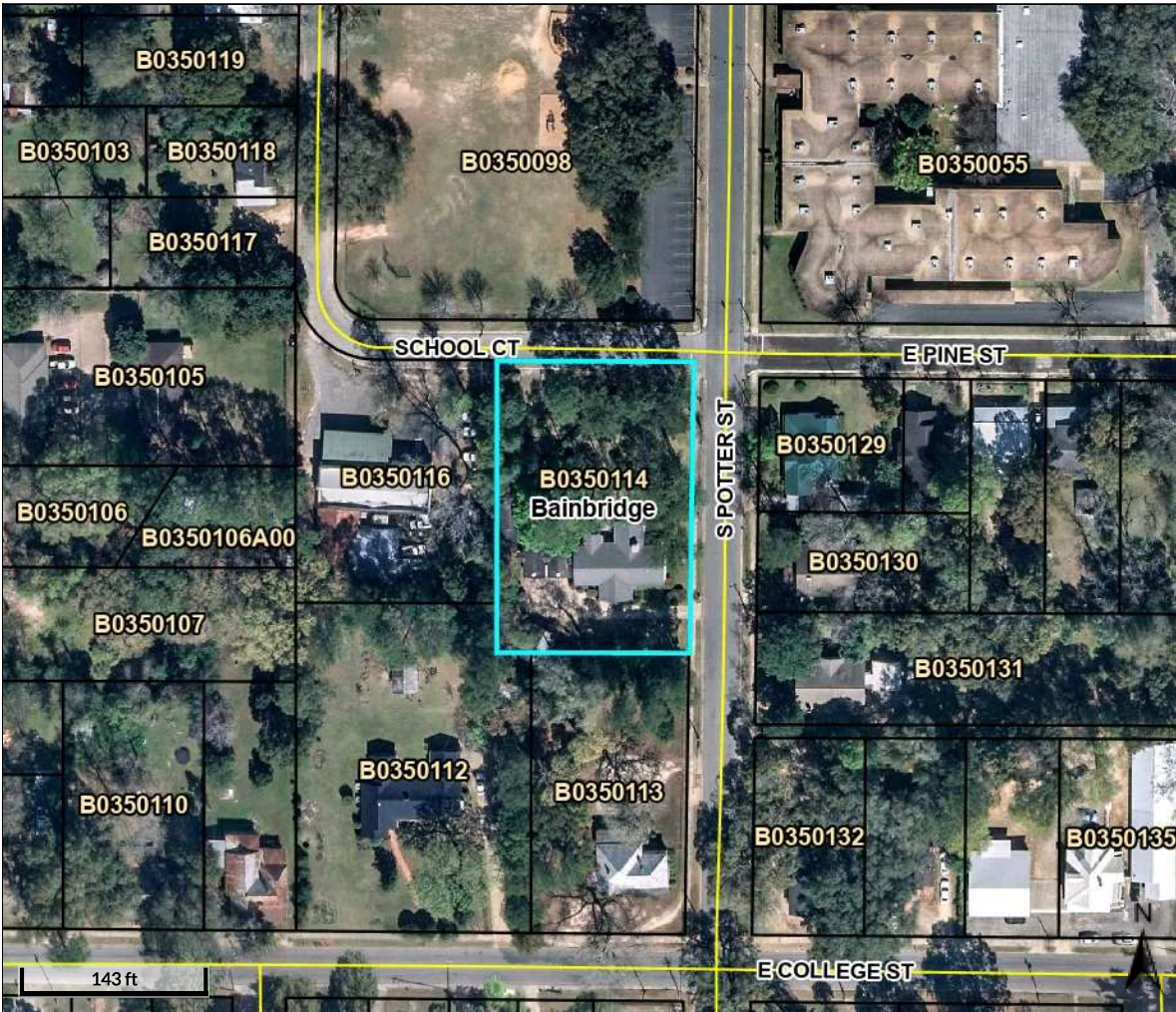
## CONDITIONAL USE APPLICATION

TABLE 14.2.3  
ANALYSIS REQUIREMENTS

1. Existing use(s) of subject property: Residential
2. Existing zoning of property contiguous with or located within 100 feet of subject property: URG  
insti.
3. Does the proposed conditional use request permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)?  Yes  No  
Explain: Residential
4. Will the proposed conditional use result in a use which could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools?  Yes  No  
Explain: Private parking
5. Is the proposed conditional use in conformity with the policy and intent of the comprehensive plan\* including use element?  Yes  No
6. Are there other existing or changing conditions affecting the use and development of property which give supporting grounds for either approval or disapproval of the proposal?  Yes  No
7. Does the property to be affected by the proposed conditional use have a reasonable economic use as currently zoned?  Yes  No

\*A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the City Hall map room and on the city's website at [www.bainbridgecit.com](http://www.bainbridgecit.com).





Overview



Legend

- Parcels
- Roads
- Attapulgus
- Bainbridge
- Brinson
- Climax

<b>Parcel ID</b>	B0350114	<b>Owner</b>	810 POTTER STREET LLC	<b>Last 2 Sales</b>			
<b>Class Code</b>	Residential		16206 2ND ST EAST	<b>Date</b>	<b>Price</b>	<b>Reason</b>	<b>Qual</b>
<b>Taxing District</b>	Bainbridge		REDINGTON BEACH, FL 33708	10/4/2022	0	UI	U
<b>Acres</b>	0.65	<b>Physical Address</b>	810 POTTER ST	4/22/2022	\$190000	FM	Q
		<b>Assessed Value</b>	Value \$206637				

(Note: Not to be used on legal documents)

Date created: 4/6/2023  
 Last Data Uploaded: 4/5/2023 7:16:34 PM

Developed by Schneider  
 GEOSPATIAL

# Staff Analysis

**DATE:** April 6, 2023

**TO:** Bainbridge-Decatur County Planning Commission, Mayor and City Council

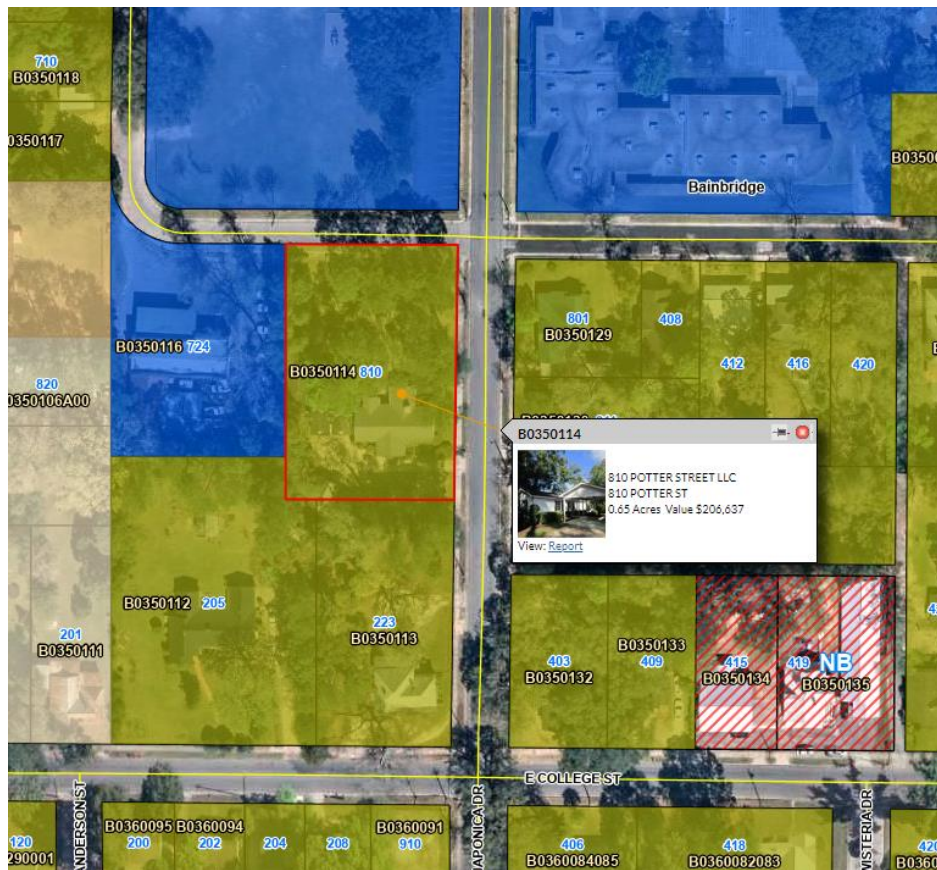
**FROM:** Steve O'Neil, Community & Economic Development Director

**SUBJECT:** CU-2023-004

**ITEM: CU-2023-004:** Applicant Amanda Winter is requesting a conditional use permit for a short-term rental. The property is located at 810 Potter St. Property is 0.65 acres and zoned UR-9.

*Conditional use: A use that would not be appropriate generally or without restriction throughout a particular zoning district and is not automatically permitted by right within said zoning district, but which, if controlled as to number, area, location, relation to the neighborhood or other pertinent considerations, may be found to be compatible and approved by the Governing Body within that particular zoning district as provided in certain instances by this zoning ordinance. An approved conditional use runs with the property.-City of Bainbridge, GA, Zoning Ordinance.*

**CURRENT ZONING:** (UR-9) Urban Residential 9



**Section 6.3.1. Purpose and Intent.**

UR-9 districts are intended to establish medium-density urban residential neighborhoods comprised of predominantly detached single-family dwellings (not including mobile or manufactured homes). These districts are served by public water sanitary sewer and service.

**FUTURE LAND USE DESIGNATION:** Residential (Urban Medium Density)

**Analysis**

The applicant's request to utilize an existing residential structure as a short term rental is in conformity with the goals and policies of the City of Bainbridge Comprehensive Plan. The short term rental will be subject to hotel/motel tax. Adequate space for parking exists.

**Recommendation**

Planning Staff recommend approval of the applicant's conditional use request to operate a short term rental facility at 810 Potter St.