



JACKSON COUNTY PLANNING COMMISSION



Minutes

Jackson County Administration Building Auditorium
67 Athens Street
Jefferson, Georgia

May 28, 2020
6:00 P.M.

Members Present

Marty Clark – Chairman
Les Knoblock– Vice-Chairman
Steve Wittry
Nick Bledsoe
Harold Mull

Staff Present

Gina Roy – Director
Jamie Dove – Planner
Kathy Holloway – Zoning Coordinator
Toni Harvey – (via video call) – Senior Planner

Marty Clark called the meeting to order at 6:00 pm.

Steve Wittry opened in prayer. Then, Marty Clark led everyone in the Pledge of Allegiance.

Marty Clark made an announcement that tonight is Gina Roy’s last meeting as Director of the Public Development Department, as she will be taking the position as Assistant County Manager. Also, Jamie Dove will become the new Manager of the Public Development Department effective Monday, June 1, 2020. We congratulate Gina Roy and Jamie Dove on their promotions!

Les Knoblock made a motion to approve the February 27, 2020 Planning Commission Minutes and was seconded by Steve Wittry. The motion was approved unanimously.

Gina Roy noted there will be a June 25, 2020 Planning Commission Meeting. Furthermore, Jamie Dove read the public hearing procedures and noted they are located on the table by the door.

New Business –

1. RZ-20-0019 – Cornel & Claudia Circa, 62 Elmwood Road, Hoschton, GA; 4.60 acres; rezone from A-2 to R-1 in order to subdivide property into 2 tracts. (Map 114/Parcel 045)

Jamie Dove gave the staff report. The applicant is requesting a rezoning from A-2 to R-1 to allow the property to be subdivided into 2 tracts. The property has access to public water provided by the Jackson

County Water & Sewer Authority. No public sewer is available in the area. Due to the shape of the property, the applicant/property owners have been informed about the setbacks and the placement of the new proposed property line. Staff has reviewed this application and recommends approval with the following conditions: 1) All setbacks must be met. 2) A survey must be approved to subdivide the property with proposed driveways to be shown. 3) Proposed driveways must meet the minimum separation (if separation is not able to be met then a shared driveway will be required).

Claudia Circa, 62 Elmwood Rd., Hoschton, GA, was present to represent this rezone case. Cornel and Claudia Circa would like to rezone this property from A-2 to R-1 so that they can subdivide into 2 tracts.

Silviu Gavriiliuc, 654 Bill Watkins Rd., Hoschton, GA, who is a neighbor to the Circa's, was present in favor of the rezone.

There was no opposition to this rezone case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Steve Wittry made a motion to approve the rezone from A-2 (Agricultural Rural Farm District) to R-1 (Residential, Low-Density Single-Family District) with the following conditions: 1) All setbacks must be met. 2) A survey must be approved to subdivide the property with proposed driveways to be shown. 3) Proposed driveways must meet the minimum separation (if separation is not able to be met then a shared driveway will be required). The motion was seconded by Harold Mull. The rezone case was approved by Steve Wittry, Harold Mull, and Les Knoblock.

2. RZ-20-0020 – Keith Hayes, 2067 Hwy. 330, Bogart, GA; 1.11 acres; rezone from NRC to R-1 for residential use. (Map 045/Parcel 021B)

Jamie Dove gave the staff report. The applicant is requesting a rezoning from NRC to R-1 to allow the lot to be developed for residential use. Public water is available within 1,500 ft. of the property provided by the Jackson County Water & Sewer Authority. There is no public sewer available in the area. The property was rezoned for commercial use in 1988 for the purposes of operating an automobile repair shop. Staff has reviewed this application and recommends approval.

Keith Hayes, P. O. Box 35, Jefferson, GA was present to represent this rezone case. Mr. Hayes would like to rezone this tract of land to R-1 so that a house can be built on the property.

There was no opposition to this rezone case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Les Knoblock made a motion to approve the rezone from NRC (Neighborhood Retail Commercial District) to R-1 (Residential, Low-Density Single-Family District) for residential use. The motion was seconded by Steve Wittry. The rezone case was approved by Les Knoblock, Steve Wittry, and Harold Mull.

3. RZ-20-0021 – Keith Hayes, Hwy. 330, Bogart, GA; 1.54 acres; rezone from NRC to R-1 for residential use. (Map 045/Parcel 021)

Jamie Dove gave the staff report. The applicant is requesting a rezoning from NRC to R-1 to allow the lot to be developed for residential use. Public water is available within 1,500 ft. of the property provided by the Jackson County Water & Sewer Authority. There is no public sewer available in the area. The property was rezoned for commercial use in 1988 for the purposes of operating an automobile repair shop. Staff has reviewed this application and recommends approval.

Keith Hayes, P. O. Box 35, Jefferson, GA was present to represent this rezone case. Mr. Hayes would like to rezone this tract of land to R-1 so that a house can be built on the property.

There was no opposition to this rezone case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Steve Wittry made a motion to approve the rezone from NRC (Neighborhood Retail Commercial District) to R-1 (Residential, Low-Density Single-Family District) for residential use. The motion was seconded by Harold Mull. The rezone case was approved by Steve Wittry, Harold Mull, and Les Knoblock.

4. RZ-20-0022 – Bobby & Marcey Parker, 3696 Hwy. 60, Pendergrass, GA; 2.29 acres; rezone from A-2 to R-1 in order to subdivide the property into 2 tracts. (Map 110/Parcel 019D)

Jamie Dove gave the staff report. The applicant is requesting a rezoning from A-2 to R-1 in order to subdivide into 2 tracts. Public water is provided by the Jackson County Water and Sewer Authority. There is no public sewer available in the area. Staff has reviewed this application and recommends approval with the following conditions: 1) All setbacks must be met. 2) A survey must be approved to subdivide the property with proposed driveways to be shown. 3) Proposed driveways must meet the minimum separation (if separation is not able to be met then a shared driveway will be required).

Mr. Bobby Parker, 3696 Hwy. 60, Pendergrass, GA was present to represent this rezone case. Mr. & Mrs. Parker would like to rezone from A-2 to R-1 in order to subdivide property. The Parker's would like for their daughter and son-in-law to build a home behind their home.

There was no opposition to this rezone case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Steve Wittry made a motion to approve the rezone from A-2 (Agricultural Rural Farm District) to R-1 (Residential, Low-Density Single-Family District) in order to subdivide the property into 2 tracts with the following conditions: 1) All setbacks must be met. 2) A survey must be approved to subdivide the property with proposed driveways to be shown. 3) Proposed driveways must meet the minimum separation (if separation is not able to be met then a shared driveway will be required). The motion was seconded by Les Knoblock. The rezone case was approved by Steve Wittry, Les Knoblock, and Harold Mull.

5. SU-20-0007 – Purohit Investments, Inc. (Dinesh Purohit), 2105 U.S. Hwy. 441 South, Commerce, GA; 11 acres; special use to allow for overnight guest. (Map 012/Parcel 001)

Toni Harvey gave the staff report. The applicant is requesting onsite lodging for 17 units and two houses for overnight stay for their yoga guests. The property has total of 11 acres with an existing building consisting of 25 units, previously used as a hotel, and two houses. The only zoning overnight lodging is permitted in without additional restrictions is HRC. This property meets two of three primary requirements. 1) Access on a major collector (Hwy. 441). 2) Public water (Nicholson Water Authority). 3) Public Sewer (not in the area, will be using septic systems). The primary use of the property for a yoga studio fits within the code. The secondary use of overnight guests is premature to this area of the county. Lodging is normally provided with sewer and adjacent to restaurants. The property owner/applicant has been working on getting the development plans approved to start work on the property over the last two years. The plans submitted for review only shows a total of 14 rooms and two houses on the property. The two houses were presented in the plans and during the original rezoning request to only house the instructor and would not be used for overnight guests. Also, this development will have to meet the overlay requirements. Staff has reviewed this application and recommends approval with 4 conditions as follows: 1) Overnight housing units to be limited to the main building with a maximum of 14 units to be served by septic systems, if the owner wishes to expand the use or change the use the development must be connected to public sewer. 2) No more than 14 units be used for overnight lodging in connection with the yoga center only. 3) Development must connect to public water. 4) The two dwellings on the property can only be used for instructors or site supervisors.

Kailash Purohit, 2604 Ivy Plantation Drive, Buford, GA 30519, was present to represent this case. Mrs. Purohit is requesting for a special use for lodging of their guests for the yoga wellness center. They plan to use a total of 17 units and two houses for their guests to stay overnight. There was discussion between the board and Mrs. Purohit. Mrs. Purohit noted that their clients like staying for several days and want to be close to the yoga wellness center, so they will not have to travel back and forth from a motel.

There was no opposition to this special use case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Steve Wittry made a motion to approve the special use to allow for overnight guest with the following conditions: 1) Overnight housing units to be limited to the main building with a maximum of 14 units to be served by septic systems, if the owner wishes to expand the use or change the use the development must be connected to public sewer. 2) No more than 14 units be used for overnight lodging in connection with the yoga center only. 3) Development must connect to public water. 4) The two dwellings on the property can only be used for instructors or site supervisors. The motion was seconded by Harold Mull. The special use case was approved by Steve Wittry, Harold Mull, and Les Knoblock.

6. SU-20-0008 - Crown Castle (Philip Cochran), 4664 Maysville Rd., Commerce, GA; special use for the construction of a cell tower on a leased .23 acre portion of a 4.60 acre tract. (Map 033/Parcel 047)

Toni Harvey gave the staff report. The applicant is requesting to locate a new 285 foot tall cell tower on the subject property. The proposed tower meets the standards for the zoning district of this property, which is GI (General Industrial). Also, the proposed location is currently being used to store junk vehicles. The existing junk vehicles will be removed from the 0.23 acre enclosure. The enclosure will be landscaped per the code. The existing tower is being removed from the neighboring property due to the property owner not wanting to continue leasing the property. The new tower will allow for co-locations. Staff has reviewed this application and recommends approval with 2 conditions as follows: 1) All provisions of the UDC must be as presented in this special use application. 2) The existing tower as

presented in this special use must be removed within 6 months of the site development permit being issued.

Andrew Rotenstreich, Attorney for Crown Castle, 1400 Wells Fargo Tower, 420 20th Street North, Birmingham, AL 35203 was present to represent this special use case. The proposed use is to construct a 285 ft. self-support cell tower on a leased area of approximately .23 acre of a 4.6 acre tract. There currently exists 2 cell towers on an adjacent parcel, each located less than 500 ft. from the proposed tower. The proposed tower is being constructed to replace one of the existing towers, as the lease with that landowner is set to expire with no renewal. Denial of the new tower will cause a possible hole in coverage due to the existing tower being removed. There was discussion between the board and the applicant. Mr. Rotenstreich asked that condition #2 be changed from 6 months to 12 months in order to get the new tower built and make sure it is working before taking down the old tower. There was discussion between the board and staff. Staff had no problem extending the removal of the existing tower from 6 months to 12 months.

There was no opposition to this special use case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Steve Wittry made a motion to approve the special use for the construction of a cell tower on a leased .23 acre portion of a 4.60 acre tract with the following conditions: 1) All provisions of the UDC must be as presented in this special use application. 2) The existing tower as presented in this special use must be removed within 12 months of the site development permit being issued. The motion was seconded by Harold Mull. The special use case was approved by Steve Wittry, Harold Mull, and Les Knoblock.

7. MA-20-0013 – Kenneth Whitworth, 1904 Hwy. 124 West, Jefferson, GA; 79.281 acres; Character Area Map change from “Agricultural” to “Suburban” and Future Land Use Map change from “Agricultural” to “Residential”. (Map 094/Parcel 016)

Jamie Dove gave the staff report. The applicant is requesting a map amendment to the Comprehensive Plan in order to change the Character Area Map designation from “Agricultural” to “Suburban” and change the Future Land Use Map designation from “Agricultural” to “Residential”. The property gains access from Hwy. 124. Public water and sewer are available within 1,500 ft. of this property, to be provided by Jackson County Water and Sewer Authority. The property contains both wetlands and floodplain along the northern property line. If the map amendment is approved, a rezoning would be requested in order to develop this parcel for residential use. Staff has reviewed this application and recommends approval excluding the area designated as conservation.

Kenny Whitworth, 3173 Mulberry Green Lane, Jefferson, GA was present to represent this map amendment case. Mr. Whitworth noted that the property is located on Hwy. 124 containing approximately 79.281 acres. He would like to change the Character Area Map designation from “Agricultural” to “Suburban” and change the Future Land Use Map designation from “Agricultural” to “Residential” with the intent to develop a residential subdivision. There was some discussion between the staff, the board, and the applicant. Mr. Whitworth noted that they are proposing 125 lots residential subdivision.

There was no opposition to this map amendment case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion. Nick Bledsoe was present to hear this case.

Furthermore, Steve Wittry made a motion to approve the Character Area Map change from “Agricultural” to “Suburban” and Future Land Use Map change from “Agricultural” to “Residential” with 1 condition as follows: 1) Excluding the area designated as Conservation. The motion was seconded by Les Knoblock. The map amendment case was approved by Steve Wittry, Les Knoblock, Nick Bledsoe, and Harold Mull.

Meeting Adjourned at 6:45 p.m.

Marty Clark, Chairman

Date

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