



BOARD OF ADJUSTMENTS MINUTES

Jackson County Administration Building Auditorium
67 Athens Street
Jefferson, GA 30549

February 6, 2020
6:00 P.M.

Board Members Present

Shirley Turner, Vice-Chairman
James Scott
Steve Wittry

Board Member Absent

Joe Holt, Chairman
Mark Palmer

Staff

Gina Roy, Director
Toni Harvey, Senior Planner
Kathy Holloway, Zoning Administrator

Shirley Turner, Vice-Chairman, called the meeting to order at 6:30 p.m.

James Scott made a motion to approve the January 2, 2020 BOA minutes and was seconded by Steve Wittry. The motion was approved unanimously.

Gina Roy gave the staff comments. There will **not** be a Board of Adjustment Meeting for March. Mrs. Roy recognized Mr. James Scott, one of our Board of Adjustment Members, as a recipient of the William H. Booth Lifetime Achievement Award for Jackson County. This award was presented to Mr. Scott at the Jackson County Chamber of Commerce Banquet. Mr. Scott is the founder and organizer of the Jackson County Community Outreach Program since 1998 and has raised over \$246,000.00 for scholarships to High School and GED graduates. Even though Mr. Scott hasn't lived his whole life in Jackson County, he has done a lifetime of work in Jackson County. Mrs. Roy noted that we are honored to have Mr. Scott serving on the Board of Adjustment. Also, Mrs. Roy read the Public Hearing Procedures and noted that the Public Hearing Procedures are located on the table by the door. Furthermore, Mrs. Roy noted that only 3 out of 5 members are present tonight, thus there needs to be at least 3 affirmative votes to either approve or deny the variance case. Mrs. Turner asked all applicants if they would like to continue with their case tonight or table their case to the next Board of Adjustment Meeting. Everyone decided to proceed with their case. Then, Mrs. Turner asked all participants of the meeting to raise their right hand and repeat after her the blanket swearing.

New Business:

1. VA-20-0019 – Barbara Seymour Piedilato, D. Williams Rd., Commerce, GA; 0.846 acres; reduce the front setback from 50 ft. to 25 ft. and reduce the rear setback from 40 ft. to 5.83 ft. (Map 001/Parcel 024A)

Toni Harvey gave staff comments. The applicant would like to turn the mobile home facing the side property line and requesting to decrease the front setback from 50 ft. to 25 ft. and rear setback from 40 ft. to 5.83 ft. as shown on the applicant's concept plan. The property gains access off of D. Williams Road, Commerce, GA. At one time in the past, there were three mobile homes on this property, as shown on the recorded plat. To limit the reduction in setbacks, please see the attached staff concept plan showing options that will lessen the reduction of setbacks by facing the mobile home toward the road. Staff recommends that the Board of Adjustment consider approval to reduce the front setback from 50 ft. to 40 ft. and the rear setback from 40 ft. to 26 ft. for the proposed mobile home only.

The applicant, Barbara Seymour Piedilato, was present to represent this variance case. The property is currently zoned A-2. Due to the configuration of the property, the buildable area on this parcel is limited. Thus, Ms. Piedilato would like to turn the manufacture home facing the side property line so it would give her more room behind the mobile home for her dog and a covered concrete slab for her car. Then, there was discussion between the board and Ms. Piedilato. After the board's discussion with the applicant and going over staff's recommendation, Ms. Piedilato had no objection in turning the mobile home to face the road.

There was no opposition present at the meeting.

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

Steve Wittry made a motion to approve the reduction of the front setback from 50 ft. to 40 ft. and the reduction of the rear setback from 40 ft. to 26 ft. for the proposed mobile home. The motion was seconded by James Scott. The variance was approved by Steve Wittry, James Scott, and Shirley Turner.

2. VA-20-0020 - McKinley Homes US LLC, Hwy. 53, Braselton, GA; 89.178 acres; a variance to allow a single entrance road to a subdivision to serve 151 lots rather than the maximum 99 lots required by Section 612 (d) of the Jackson County Unified Development Code. (Map 117/Parcels 023, 023A, 024)

Toni Harvey gave staff comments. The applicant is requesting to decrease the number of required entrances from 2 to 1 on a proposed 151 lot subdivision. With the limited road frontage on Hwy. 53 another entrance through an adjoining parcel would be the most beneficial for the connectivity and safety of the future residents of the proposed development. There are two possible locations for interconnectivity. One location could be through the parcel to the south fronting on Hwy. 53 outlined in red on the aerial map and preliminary plat. This parcel is currently being used as a wholesale nursery, however in the future if it ceases operation and the zoning is amended to a residential, this would allow for another connection point. The second possibility would be the parcel to the south east corner outlined in blue on the aerial map and preliminary plat. Staff recommends that the Board of Adjustment consider approval to reduce the required entrance from 2 to 1 with two conditions: 1) Development to be limited to 151 lots. 2) Vehicular interconnectivity access must be provided along the southern property line in two locations as shown on the attached map outlined in blue and red and on the preliminary plat presented by the applicant with this application. The parcels shown as future access points must be dedicated to Jackson County at the time of final plating of the proposed subdivision.

Jonathan Beard, Attorney, and Corey Guthrie, Ensight Civil Consulting, LLC, were present to represent this case. Mr. Beard handed out a packet of information to the board. Also, he noted that the applicant has been through a map amendment, rezone and now a variance to meet the Jackson County Unified Development Code requirements for this residential development. The applicant seeks a variance tonight to allow a single entrance road to a subdivision to serve 151 lots rather than the required 99 lots per the Unified Development Code. Due to the limited road frontage on Hwy. 53, GDOT will only allow one driveway for the proposed subdivision. Thus, they have submitted a preliminary plan showing the future inter-parcel connectivity. There are two possible locations for interconnectivity. One location could be through the parcel to the south fronting on Hwy. 53, which is outlined in red on the aerial map and preliminary plat. The second possibility would be the parcel to the south east corner outlined in blue on the aerial map and preliminary plat. With just one entrance forcing all traffic through one point could cause additional safety concerns if the roadway is blocked for any reason. Having two entrances gives an alternative entrance/exit in case of an emergency. Then, there was discussion between the board and Mr. Guthrie. Mr. Guthrie noted there will be left and right turn lanes into this development. Also, Mr. Beard and Mr. Guthrie had no objections to the conditions placed on this variance case by staff.

There was no opposition present at the meeting.

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

James Scott made a motion to approve to reduce the number of required entrances from 2 to 1 on a 151 lot subdivision with two conditions:

1) Development to be limited to 151 lots. 2) Vehicular interconnectivity access must be provided along the southern property line in two locations as shown on the attached map outlined in blue and red and on the preliminary plat presented by the applicant with this application. The parcels shown as future access points must be dedicated to Jackson County at the time of final plating of the proposed subdivision. The motion was seconded by Steve Wittry. The variance was approved by James Scott, Steve Wittry, and Shirley Turner.

Steve Wittry made a motion to adjourn and was seconded by James Scott. The vote was unanimous. The meeting adjourned at 6:50 p.m.

Shirley Turner, Vice-Chairman

Date