



BOARD OF ADJUSTMENTS MINUTES

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

July 12, 2018
6:00 P.M.

Board Members Present

Joe Holt, Chairman
Marty Clark, Vice-Chairman
Shirley Turner
James Scott

Board Members Absent

Mark Palmer

Staff

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

Joe Holt called the meeting to order at 6:00 p.m.

Marty Clark made a motion to approve the June 7, 2018 BOA minutes and was seconded by Shirley Turner. The motion was approved unanimously.

Gina Roy gave the staff comments. There will not be a Board of Adjustment Meeting in August. Mrs. Roy noted there are 4 out of 5 board members present tonight, thus there needs to be at least 3 affirmative votes to either approve or deny each case. There was no objection to waive the reading of the hearing procedures. Mr. Holt asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing.

New Business:

1. BOA-18-06 – TriStar Real Estate Group, LLC, 4703 Fairways Lane, Jefferson, GA; .52 acre; reduction of the greenway stream buffer from 50 ft. to 35 ft. for the grading and construction of a single family residence. (Map 105D/Parcel 001G)

Toni Harvey gave staff comments. The applicant is requesting to reduce the greenway stream buffer from 50 ft. to 35 ft. to allow for a new home to be constructed on the property. Also, there is a creek in the back of the lot which is located within the Athens Middle Oconee Watershed and the Upper Oconee Watershed. Staff has reviewed this application and recommends denial. There is no reason per staff that the proposed house will not fit within the permitted area on the lot as shown on the site plan. There is over 15 ft. of room to adjust the house to allow for grading and the placement of the house without the requested variance.

Brian Simmons, of TriStar Real Estate Group, LLC, 4335 South Lee Street, Ste. C, Buford, GA 30518, was present to represent this variance case. Mr. Simmons noted that this lot has a steep drop off in the back and the property owner would like to have room for children a play area. There was discussion between the board and the applicant regarding this lot.

There was no opposition.

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

Shirley Turner made a motion to deny the reduction of the greenway stream buffer from 50 ft. to 35 ft. for the grading and construction of a single family residence and was seconded by Jim Scott. The variance was denied unanimously.

2. BOA-18-07 – TriStar Real Estate Group, LLC, 4709 Fairways Lane, Jefferson, GA; .44 acre; reduction of the greenway stream buffer from 50 ft. to 35 ft. for the grading and construction of a single family residence. (Map 105D/Parcel 002G)

Toni Harvey gave staff comments. The applicant is requesting to reduce the greenway stream buffer from 50 ft. to 35 ft. to allow for the grading and construction of a new home. This will leave around 18 ft. to gain proper drainage. Also, there is a creek in the back of the lot which is located within the Athens Middle Oconee Watershed and the Upper Oconee Watershed. The size of the property with this buffer restricts the size of home that can be built. Staff has reviewed this application and recommends approval.

Brian Simmons, of TriStar Real Estate Group, LLC, 4335 South Lee Street, Ste. C, Buford, GA 30518, was present to represent this variance case. Mr. Simmons noted that this lot needs an additional 15 ft. for grading to the rear of the proposed house.

There was no opposition.

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

Marty Clark made a motion to approve the reduction of the greenway stream buffer from 50 ft. to 35 ft. for the grading and construction of a single family residence and was seconded by Shirley Turner. The variance was approved unanimously.

3. BOA-18-08 – TriStar Real Estate Group, LLC, 4715 Fairways Lane, Jefferson, GA; .38 acre; reduction of the greenway stream buffer from 50 ft. to 25 ft. for the grading and construction of a single family residence. (Map 105D/Parcel 003G)

Toni Harvey gave staff comments. The applicant is requesting to reduce the greenway stream buffer from 50 ft. to 25 ft. to allow for the grading and construction of a new home. This will leave around

15 ft. to gain proper drainage. Also, there is a creek in the back of the lot which is located within the Athens Middle Oconee Watershed and the Upper Oconee Watershed. The size of the property with this buffer restricts the size of home that can be built. Staff has reviewed this application and recommends approval.

Brian Simmons, of TriStar Real Estate Group, LLC, 4335 South Lee Street, Ste. C, Buford, GA 30518, was present to represent this variance case. Mr. Simmons noted that this lot needs an additional 25 ft. for grading to the rear of the proposed house.

There was no opposition.

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

Marty Clark made a motion to approve the reduction of the greenway stream buffer from 50 ft. to 25 ft. for the grading and construction of a single family residence and was seconded by Shirley Turner. The variance was approved unanimously.

4. BOA-18-09 – TriStar Real Estate Group, LLC, 4721 Fairways Lane, Jefferson, GA; .31 acre; reduction of the greenway stream buffer from 50 ft. to 25 ft. for the grading and construction of a single family residence. (Map 105D/Parcel 004G)

Toni Harvey gave staff comments. The applicant is requesting to reduce the greenway stream buffer from 50 ft. to 25 ft. to allow for the grading and construction of a new home. This will leave around 18 ft. to gain proper drainage. Also, there is a creek in the back of the lot which is located within the Athens Middle Oconee Watershed and the Upper Oconee Watershed. The size of the property with this buffer restricts the size of home that can be built. Staff has reviewed this application and recommends approval.

Brian Simmons, of TriStar Real Estate Group, LLC, 4335 South Lee Street, Ste. C, Buford, GA 30518, was present to represent this variance case. Mr. Simmons noted that this lot needs an additional 25 ft. for grading to the rear of the proposed house.

There was no opposition.

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

Jim Scott made a motion to approve the reduction of the greenway stream buffer from 50 ft. to 25 ft. for the grading and construction of a single family residence and was seconded by Marty Clark. The variance was approved unanimously.

5. BOA-18-10 – Greenland Opportunities, LLC, Intersection of Ga. Hwy. 334 and U.S. Hwy. 441, Commerce, GA; 297.25 acres; reduction of the greenway stream buffer from 50 ft. to 0 ft. for the placement of storm water piping as shown on concept plan. (Map 010/Parcel 035)

Toni Harvey gave staff comments. The applicant is requesting to reduce the greenway stream buffer from 50 ft. to 0 ft. to allow for the installation of an outlet pipe for the detention pond on the proposed development. Staff has looked at the option of decreasing the length of the pipe, however that will degrade the slope of the existing stream. Due to the steep slope, the placement of the outlet pipe needs to be located at the proposed location per the plans submitted. There was discussion between the board and staff. Staff recommends approval.

Wayne Reece of Greenland Opportunities, LLC, 4200 Northside Parkway, N.W., Building 7, Atlanta, GA 30327, was present to represent this case. Southeast Toyota is in the process of developing a vehicle processing plant. They are trying to stay out of the stream buffers and meet the requirements of the Unified Development Code. Mr. Reece respectfully requests that the board approve this hardship variance.

There was no opposition to this variance. But, there were several individuals who were present that had concerns about this development. Ray Perry and Pamela Richardson who own property on Joe Bolton Rd. wanted to meet with someone to express their concerns on how this development was going to affect their property, as they live south and east of this development.

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

Marty Clark made a motion to approve the reduction of the greenway stream buffer from 50 ft. to 0 ft. to allow for the installation of an outlet pipe for the detention pond on the proposed development and was seconded by Jim Scott. The variance was approved unanimously.

The meeting adjourned at 6:20 p.m.

Joe Holt, Chairman

Date