



BOARD OF ADJUSTMENTS MINUTES

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

July 11, 2019
6:00 P.M.

Board Members Present

Joe Holt, Chairman
Shirley Turner, Vice-Chairman
Mark Palmer
James Scott

Board Member Absent

Steve Wittry

Staff

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

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

Jim Scott made a motion to approve the June 6, 2019 BOA minutes and was seconded by Shirley Turner. The motion was approved unanimously.

Gina Roy gave the staff comments. There will be a Board of Adjustment Meeting on August 1, 2019. Mrs. Roy read the Public Hearing Procedures and noted that the Public Hearing Procedures are located on the table by the door. Then, Mr. Holt asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing.

New Business:

1. BOA-19-06- Michael K. Peck, 211 Emily Forest Way, Pendergrass, GA; .65 acre; reduce the rear setback from 40 ft. to 10 ft. for a metal storage building. (Map 077A/Parcel 009)

Toni Harvey gave staff comments. The applicant is requesting a variance to reduce the rear setback from 40 ft. to 10 ft. for a 1,250 sq. ft. metal storage building in a residential zoning district that is large

enough for his motorboat, truck and other personal items. The topography of the lot when purchased has led to erosion problems from neighboring lots and created drainage issues. The applicant would like to place a storage building on the property, however to allow for correction of the grading to fix drainage issues the building would need to be placed within the rear setback. Thus, the variance requested will allow the placement of the storage structure to be out of the way of the water flow for proper drainage. Also, a concrete driveway will be placed on the right side of the property for access to the storage building, because of the septic system being on the left side of the property. There will be a retaining wall placed around the storage building and there will be a gravel turn around area in front of the storage building. Staff has reviewed this application in conjunction with the variance standards for approval set forth by the Jackson County Unified Development Code. Staff recommends approval of this request.

Michael K. Peck, 211 Emily Forest Way, Pendergrass, GA 30567 was present to represent this variance case. Mr. Peck is requesting a variance to reduce the rear setback from 40 ft. to 10 ft. on the backside of his property for a 1,250 sq. ft. metal storage building that is large enough for his motorboat, truck and other personal items. There are existing drainage problems in Mr. Peck's backyard that is flooding out his neighbor's backyard on Lot 10 which is down from Mr. Peck's lot. Also, Mr. Peck has the same problem from his other neighbor on Lot 8, which they are still working on. To fix the drainage problem, Mr. Peck will add 24" rain drop boxes that will be connected by a 10" pipe that will reroute the water to the back right side of his property into the woods with a dry creek. Mr. Peck believes that this will resolve the drainage problems for his lot and Lot 10.

Angela Boatright, 494 Emily Forest Way, Pendergrass, GA was present in opposition to these variances. She noted that her neighbors are against this variance too. Ms. Boatright lives at the end of Emily Forest Way in the cul-de-sac and she noted that the whole subdivision has erosion problems. She is against a 2nd driveway and would rather see more greenery. Also, she is against the type and size of the accessory building. Then, Mr. Peck gave a rebuttal. Mr. Peck stated that Ms. Boatright mentioned that her neighbors are against this variance, but this is just hear say. Mr. Peck noted that he is trying to solve his drainage problems as well as his neighbors drainage problems. Also, he plans to put sod in his yard, and there is another metal building on Lot 7 in this subdivision. Furthermore, Mr. Peck would like for this metal storage building to be large enough to store a large boat and truck along with some other personal belongings. There will not be a business run from this accessory building.

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

Mark Palmer made a motion to approve the variance to reduce the rear setback from 40 ft. to 10 ft. and was seconded by Jim Scott. Then, there was discussion between the board. Then, Mark Palmer amended his motion to approve the variance to reduce the rear setback from 40 ft. to 10 ft. to include driveway as shown on concept plan which is on the right side of the property. The amended motion was seconded by Jim Scott. The motion was unanimous.

2. BOA-19-07- Michael K. Peck, 211 Emily Forest Way, Pendergrass, GA; .65 acre; construction of a metal accessory building over 500 sq. ft. in a residential zoning district. (Map 077A/Parcel 009)

Toni Harvey gave staff comments. The applicant is requesting a variance to reduce the rear setback from 40 ft. to 10 ft. for a 1,250 sq. ft. metal accessory building in a residential zoning district that is large enough for his motorboat, truck and other personal items. The topography of the lot when purchased has led to erosion problems from neighboring lots and created drainage issues. The applicant would like to place a storage building on the property, however to allow for correction of the grading to fix drainage issues the building would need to be placed within the rear setback. Thus, the variance requested will allow the placement of the storage structure to be out of the way of the water flow for

proper drainage. Also, a concrete driveway will be placed on the right side of the property for access to the storage building, because of the septic system being on the left side of the property. There will be a retaining wall placed around the storage building and there will be a gravel turn around area in front of the storage building. Staff has reviewed this application in conjunction with the variance standards for approval set forth by the Jackson County Unified Development Code. Staff recommends approval of this request.

Michael K. Peck, 211 Emily Forest Way, Pendergrass, GA 30567 was present to represent this variance case. Mr. Peck is requesting a variance to construct a metal storage building over 500 sq. ft. in a residential zoning district. The metal storage building will be large enough for his motorboat, truck and other personal items. There are existing drainage problems in Mr. Peck's backyard that is flooding out his neighbor's backyard on Lot 10 which is down from Mr. Peck's lot. Also, Mr. Peck has the same problem from his other neighbor on Lot 8, which they are still working on. To fix the drainage problem, Mr. Peck will add 24" rain drop boxes that will be connected by a 10" pipe that will reroute the water to the back right side of his property into the woods with a dry creek. Mr. Peck believes that this will resolve the drainage problems for his lot and Lot 10.

Angela Boatright, 494 Emily Forest Way, Pendergrass, GA was present in opposition to these variances. Also, she noted that her neighbors are against the variances too. Ms. Boatright lives at the end of Emily Forest Way in the cul-de-sac and she noted that the whole subdivision has erosion problems. She is against a 2nd driveway and would rather see more greenery. Also, she is against the type and size of the accessory building. Then, Mr. Peck gave a rebuttal. Mr. Peck noted that Ms. Boatright mentioned that her neighbors are against this variance, but this is just hear say. Mr. Peck noted that he is trying to solve his drainage problems as well as his neighbors drainage problems. Also, he plans to put sod in his yard, and there is another metal building on Lot 7 in this subdivision. Furthermore, Mr. Peck would like for this metal storage building to be large enough to store a large boat and truck along with some other personal belongings. There will not be a business run from this accessory building.

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 approve the variance for a metal accessory building over 500 sq.ft. in a residential zoning district and was seconded by Mark Palmer. The motion was unanimous.

3. BOA-19-08- Michael K. Peck, 211 Emily Forest Way, Pendergrass, GA; .65 acre; construction of an accessory building over 1,000 sq. ft. in a residential zoning district. (Map 077A/Parcel 009)

Toni Harvey gave staff comments. The applicant is requesting a variance to construct an accessory building over 1,000 sq. ft. in a residential zoning district. The metal storage building will be large enough for his motorboat, truck and other personal items. The topography of the lot when purchased has led to erosion problems from neighboring lots and created drainage issues. The applicant would like to place a storage building on the property, however to allow for correction of the grading to fix drainage issues the building would need to be placed within the rear setback. Thus, the variance requested will allow the placement of the storage structure to be out of the way of the water flow for proper drainage. Also, a concrete driveway will be placed on the right side of the property for access to the storage building, because of the septic system being on the left side of the property. There will be a retaining wall placed around the storage building and there will be a gravel turn around area in front of the storage building. Staff has reviewed this application in conjunction with the variance standards for approval set forth by the Jackson County Unified Development Code. Staff recommends approval of this request.

Michael K. Peck, 211 Emily Forest Way, Pendergrass, GA 30567 was present to represent this variance case. Mr. Peck is requesting a variance to reduce the rear setback from 40 ft. to 10 ft. on the backside of his property for a 1,250 sq. ft. metal storage building. There are existing drainage problems in Mr. Peck's backyard that is flooding out his neighbor's backyard on Lot 10 which is down from Mr. Peck's lot. Also, Mr. Peck has the same problem from his other neighbor on Lot 8, which they are still working on. To fix the drainage problem, Mr. Peck will add 24" rain drop boxes that will be connected by a 10" pipe that will reroute the water to the back right side of his property into the woods with a dry creek. Mr. Peck believes that this will resolve the drainage problems for his lot and Lot 10.

Angela Boatright, 494 Emily Forest Way, Pendergrass, GA was present in opposition to these variances. Ms. Boatright lives at the end of Emily Forest Way in the cul-de-sac and she noted that the whole subdivision has erosion problems. She is against a 2nd driveway and would rather see more greenery. Also, she is against the type and size of the accessory building. Then, Mr. Peck gave a rebuttal. Mr. Peck noted that Ms. Boatright mentioned that her neighbors are against this variance, but this is just hear say. Mr. Peck noted that he is trying to solve his drainage problems as well as his neighbors drainage problems. Also, he plans to put sod in his yard, and there is another metal building on Lot 7 in this subdivision. Furthermore, Mr. Peck would like for this metal storage building to be large enough to store a large boat and truck along with some other personal belongings. There will not be a business run from this accessory building.

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

Mark Palmer made a motion to approve a variance for an accessory building over 1,000 sq. ft. in a residential zoning district and was seconded by Jim Scott. The motion was unanimous.

The meeting adjourned at 6:21 p.m.

Joe Holt, Chairman

Date