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.

Steve Wittry made a motion to approved the August 22, 2019 Planning Commission Minutes and was seconded by Les Knoblock. The motion was approved unanimously.

Gina Roy noted there will be an October 24, 2019 Planning Commission Meeting. Mrs. Roy noted that last week was our kickoff meeting for the Jackson County Comprehensive Plan. If anyone would like to get on the distribution list for the Comprehensive Plan Meetings coming up, please contact the Public Development Dept. There will be Comprehensive Plan Meetings every month on various topics, as well as District Meetings located in Braselton, Commerce, Nicholson, etc. Public Hearings on the Comprehensive Plan will start next month with the Planning Commission Board. Furthermore, Gina Roy read the public hearing procedures and noted they are located on the table by the door.

**Old Business**

1. **RZ-19-22** – Tommy Boyd, 2567 Brock Rd., Athens, GA; 8.02 acres rezone from A-2 to CRC. (Map 043/Parcel 019)

Toni Harvey gave the staff report. The applicant is requesting to rezone the 8.02 acre tract from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial District) to allow for a
ministorage facility. The property gains access from Brock Road and Hwy. 129. Also, the property has access to public water provided by the Jackson County Water & Sewer Authority. There is no public sewer available in the area. Part of the proposed use meets the Unified Development Code and Comprehensive Plan. The outside storage is not permitted with the proposed zoning. Staff has reviewed this application and recommends denial due to the concept/proposal plan not meeting the requirements of the requested zoning. After the Planning Commission Board heard the case on August 22, 2019, the board voted to table the case so that Mr. Boyd could meet with Toni Harvey to go over what is required to meet the Unified Development Code for the ministorage facility as far as zoning and the development of this project.

Tommy Boyd, 1005 Poplar Stump Road, Helen, GA 30545 was present to represent this rezone application. Mr. Boyd noted that the commercial zoning and development requirements such as the sidewalks, etc. is preventing him from developing this property for a ministorage facility. If he can’t get this requested rezone of CRC (Community Retail Commercial District), he would like to build a hog polar since this property is currently zoned A-2 (Agricultural Rural Farm District).

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 deny the rezone from A-2(Agricultural Rural Farm District) to CRC (Community Retail Commercial District). The motion was seconded by Nick Bledsoe. Steve Wittry, Nick Bledsoe, and Les Knoblock denied the rezone.

2. SU-19-09 – Tommy Boyd, 2567 Brock Rd., Athens, GA; 8.02 acres; special use for outside storage. (Map 043/Parcel 019)

Toni Harvey gave the staff report. The applicant is requesting a special use to have outside storage on the 8.02 acre tract. The property gains access from Brock Road and Hwy. 129. Also, the property has access to public water provided by the Jackson County Water & Sewer Authority. There is no public sewer available in the area. Due to the shape of the property, the location of the proposed outdoor storage does not allow for proper screening from the adjacent properties or the roadway. Staff has reviewed this application and recommends denial due to the current zoning not meeting the minimum requirements to have outside storage. After the Planning Commission Board heard the case on August 22, 2019, the board voted to table the case so that Mr. Boyd could meet with Toni Harvey to go over what is required to meet the Unified Development Code for the ministorage facility as far as zoning and the development of this project.

Tommy Boyd, 1005 Poplar Stump Road, Helen, GA 30545 was present to represent this rezone application. Mr. Boyd noted that the commercial zoning and development requirements such as the sidewalks, etc. is preventing him from developing this property for a ministorage facility. If he can’t get this requested rezone of CRC (Community Retail Commercial District), he would like to build a hog polar since this property is currently zoned A-2 (Agricultural Rural Farm District).

There was no opposition to the 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 deny the special use for outside storage. The motion was seconded by Les Knoblock. Steve Wittry, Nick Bledsoe, and Les Knoblock denied the special use.

**New Business**

1. **RZ-19-21 – Nelson Merlos, 5799 Maysville Rd., Commerce, GA; 2.3 acres; rezone from A-2 to CRC. (Map 033/Parcel 009B)**

   Gina Roy asked if this rezone case could be delayed to the end of the meeting as the applicant is not present. Marty Clark made a motion to delay hearing the case this evening as the applicant is not present at this time and Steve Wittry seconded the motion. The applicant did not show up for the meeting, thus Nick Bledsoe made a motion to table the case until the October 24, 2019 Planning Commission Meeting and was seconded by Steve Wittry. Nick Bledsoe, Steve Wittry, and Les Knoblock tabled the rezone.

2. **MA-19-14 - Atlantic Expedited, LLC (Vitaliy Kot), Hwy. 124, Jefferson, GA; 6.51 acres; change the Character Area Map from “Rural” to “Suburban” and change the Future Land Use Map from “Residential” to “Commercial”. (Map 094/Parcel 009E)**

   Justin Crighton gave the staff report. The applicant is requesting a map amendment to the Comprehensive Plan in order to change the Future Land Use Designation from “Residential” to “Commercial” and change the Character Area Map Designation from “Rural” to “Suburban”. The property gains access from Hwy. 124. Also, public water is available and provided by the Jackson County Water and Sewer Authority, but no public sewer available in the area. Staff has reviewed this application and recommends approval.

   Stan Belyshev, 1935 Stem Trail, Auburn, GA was present to represent this map amendment case for the owner Atlantic Expedited, LLC (Vitaliy Kot). He would like to change the Character Area Map from “Rural” to “Suburban” and change the Future Land Use Map from “Residential” to “Commercial”.

   There was no opposition to the map amendment case.

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

   Furthermore, Nick Bledsoe made a motion to approve the Character Area Map change from “Rural” to “Suburban” and change the Future Land Use Map from “Residential” to “Commercial”. The motion was seconded by Steve Wittry. Nick Bledsoe, Steve Wittry, and Les Knoblock approved the map amendment.

3. **RZ-19-23 – Bryan Kevin Barnett, 1529 Whitehill School Rd., Commerce, GA; 1.5 acres; rezone from A-2 to MH. (Map 023/Parcel 002J)**

   Justin Crighton gave the staff report. The applicant is requesting a rezoning from A-2 (Agricultural Rural Farm District) to MH (Manufactured Housing District) to subdivide the 3.49 acres into two tracts. Tract 1 will be 1.50 acres and Tract 2 will be 1.99 acres. They plan to put a manufactured house on Tract 1. Currently, there is a house on Tract 2. The property gains access from Whitehill School Rd. Also, the property has access to public water provided by the City of Commerce, but no public sewer available in the area. Staff has reviewed this application and recommends approval.

   Bryan Kevin Barnett and Ann P. Hill, 1529 Whitehill School Road, Commerce, GA was present to represent this rezone case. They are requesting for 3.49 acres to be rezoned so that they can subdivide the property into two lots.
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 MH (Manufactured Housing District). The motion was seconded by Les Knoblock. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the rezone.

4. RZ-19-24 – Ann P. Hill, 1529 Whitehill School Rd., Commerce, GA; 1.99 acres; rezone from A-2 to AR. (Map 023/Parcel 002J)

Justin Crighton gave the staff report. The applicant is requesting a rezoning from A-2 (Agricultural Rural Farm District) to AR (Agricultural Residential District) to subdivide the 3.49 acres into two tracts. Tract 1 will be 1.50 acres and Tract 2 will be 1.99 acres. They plan to put a manufactured house on Tract 1. Currently, there is a house on Tract 2. The property gains access from Whitehill School Rd. Also, the property has access to public water provided by the City of Commerce, but no public sewer available in the area. Staff has reviewed this application and recommends approval.

Ann P. Hill and Bryan Kevin Barnett, 1529 Whitehill School Road, Commerce, GA was present to represent this rezone case. They are requesting for 3.49 acres to be rezoned so that they can subdivide the property into two lots.

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, Nick Bledsoe made a motion to approve the rezone from A-2 (Agricultural Rural Farm District) to AR (Agricultural Residential District). The motion was seconded by Les Knoblock. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the rezone.

5. RZ-19-25 – Ken Byce, 2424 Gum Springs Church Rd., Jefferson, GA; 13.69 acres; rezone from PCFD to A-2. (Map 096/Parcel 002A1)

Justin Crighton gave the staff report. The applicant is requesting a rezoning from PCFD (Planned Commercial Farm District) to A-2 (Agricultural Rural Farm District) to subdivide the 13.69 acres into two tracts. The property gains access from Gum Springs Church Road. Also, the property has access to public water provided by the Jackson County Water and Sewer Authority, but no public sewer is available in the area. In the past, the property was used for a poultry farm. Staff has reviewed this application and recommends approval. There was discussion between staff and the board.

Ken Byce, 101 Mulberry River Rd., Winder, GA 30680 was present to represent this rezone case. The owner would like to subdivide the property into two tracts. The chicken houses are too old to use and would take a lot of money to fix them up to use as a chicken farm. So, they probably will save two of the chicken houses, the one on the far left and the one on the far right, for horses and storage, and tear down the chicken house in the middle.

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 PCFD (Planned Commercial Farm District) to A-2 (Agricultural Rural Farm District). The motion was seconded by Les Knoblock. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the rezone.

6. RZ-19-27 – Lamar & Terri Parker, Hwy. 82 S., Jefferson, GA; 10 acres; rezone from AR to A-2. (Map 072/Parcel 021)

Justin Crighton gave the staff report. The applicant is requesting a rezoning of a portion of the property from AR (Agricultural Residential District) to A-2 (Agricultural Rural Farm District) in order to combine the rezoned portion with their adjoining lot as shown on the submitted concept plan in order to have cattle. The property gains access from Hwy. 82. Also, the property has access to public water provided by the Jackson County Water and Sewer Authority, but no public sewer is available in the area. Staff has reviewed this application and recommends approval.

Lamar Parker, 2561 Hwy. 82 S., Jefferson, GA 30549 was present to represent this rezone case. After purchasing the 10 acre tract, they found out that it had a different zoning from their adjoining 7.037 acre tract. If the rezone is approved, they plan to combine the two tracts into one tract in order to have cattle 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 AR (Agricultural Residential District) to A-2 (Agricultural Rural Farm District). The motion was seconded by Steve Wittry. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the rezone.

7. RZ-19-28 – Peach State Property Solutions, Inc. (Shawn Watson), 8940 Old Gainesville Hwy., Talmo, GA; 0.455 acres; rezone from A-2 to CRC. (Map 101/Parcel 009A)

Justin Crighton gave the staff report. The applicant is requesting a rezoning of A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial District) to establish an office in the existing structure. The property gains access from Old Gainesville Hwy. Also, the property does not have access to public water and no public sewer is available in the area. Staff has reviewed this application and recommends approval.

Shawn Watson, Peach State Property Solutions, Inc., 770 Jefferson Blvd., Jefferson, GA was present to represent this rezone case. They own two adjoining tracts of land on Old Gainesville Hwy. They have a landscaping company wanting to lease this property for their business. On one of the tracts, there is a house that has been used as a rental house in the past and on the other tract is some storage buildings. They would like to rezone the 0.455 acre tract from A-2 to CRC in order to use the house for a landscaping company office. The property is located between a ministorage facility and the old Pendergrass Automotive building.

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, Nick Bledsoe made a motion to approve the rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial District). The motion was seconded by Steve Wittry. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the rezone.

8. Text Amendment – Open Space GI/LID Changes to the Unified Development Code –

Gina Roy gave the staff report. Amendments within Article 1, 3, and 11 of the Unified Development Code to promote green infrastructure and low impact development (GI/LID) to meet Georgia EPD MS4 requirements. Make an amendment to the greenspace and/or open space definition, adding, and including the importance of land conservation and reduction of impervious surface. Also, promoting greenspace or open space be consolidated into large and contiguous units, rather than small and fractured units by requiring that 75% of the total required greenspace or open space be contiguous and/or continuous. Staff recommends approval.

There was no one in favor and no one in opposition to the text amendment.

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

Furthermore, Nick Bledsoe made a motion to approve the Text Amendment for Open Space GI/LID Changes to the Unified Development Code. The motion was seconded by Steve Wittry. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the text amendment.

9. Text Amendment – Parking GI/LID Changes to the Unified Development Code –

Gina Roy gave the staff report. Amendments within Article 6 of the Unified Development Code to promote green infrastructure and low impact development (GI/LID) to meet Georgia EPD MS4 requirements. Amendments to make changes that incentivize GI/LID by reducing the number of parking spaces needed to be eligible to qualify for compact parking, ultimately reducing impervious surface. Also, an amendment to a heading within the Unified Development Code that would make any use eligible for shared parking, not just mixed use, industrial-commercial mix. Staff recommends approval.

Lori Redmond from Commerce, GA was present with questions in regards to this text amendment. There was discussion between Gina Roy and Lori Redmond on whether the reduction in parking spaces would impact the amount of buildings allowed. There was no one in opposition to the text amendment.

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 Text Amendment to the Parking GI/LID Changes to the Unified Development Code. The motion was seconded by Les Knoblock. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the text amendment.

10. Text Amendment – Utility Encroachment Changes to the Unified Development Code –

Gina Roy gave the staff report. Amendment to Article 9 includes adding Division II to addresses the placement of small wireless facilities and antennas within the County owned right of way according to the
provisions of O.C.G.A. Title 36 Chapter 66C, known as the “Streamlining Wireless Facilities and Antennas Act”. Staff recommends approval.

There was no one in favor and no one in opposition to the text amendment. There was discussion between Gina Roy and the board.

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

Furthermore, Nick Bledsoe made a motion to approve the Text Amendment for Utility Encroachment Changes to the Unified Development Code. The motion was seconded by Steve Wittry. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the text amendment.


Gina Roy gave the staff report. An ordinance adopting provisions regarding third party inspection and plan review. This ordinance specifies requirements and procedures for conducting and submitting inspections, mandates prequalification of third party inspectors and plan reviewers, identifies instances of noncompliance, and provides for progressive penalties for violations. In addition to, this ordinance repeals conflicting ordinances. This ordinance is proposed to be adopted within Article 20, Division III of the Jackson County Unified Development Code. Staff recommends approval.

There was no one in favor and no one in opposition to the text amendment.

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 Text Amendment for Third Party Inspections and Plan Review Changes to the Unified Development Code. The motion was seconded by Les Knoblock. Steve Wittry, Nick Bledsoe, and Les Knoblock approved the text amendment.

Steve Wittry made a motion to adjourn the meeting and was seconded by Nick Bledsoe. Meeting Adjourned at 6:40 p.m.

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Marty Clark, Chairman            Date