



BOARD OF ADJUSTMENTS MINUTES

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

October 3, 2019
6:00 P.M.

Board Members Present

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

Board Members Absent

Steve Wittry
James Scott

Staff

Gina Roy, Director
Kathy Holloway, Zoning Administrator

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

Shirley Turner made a motion to approve the August 1, 2019 BOA minutes and was seconded by Mark Palmer. The motion was approved unanimously.

Gina Roy gave the staff comments. The deadline to turn in variance applications for the next month is Monday, October 7, 2019, and so far there are no applications turned in. We will let you know if there will or will not be a November BOA Meeting. Mrs. Roy noted there are 3 out of 5 board members present tonight, thus there needs to be at least 3 affirmative votes to either approve or deny the variance case. Also, she noted that the applicant has the choice to postpone the meeting until next month in hopes for more members to be present, or the applicant can go forth with the variance case tonight. Each applicant can decide and let the board know when called for your case. 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-19-11 - Connie L. Bowns, 81 Whitaker Way, Hoschton, GA; 0.83 acre; reduce front setback on Leyland Way from 35 ft. to 22.64 ft. and reduce front setback on Whitaker Way from 35 ft. to 31.11 ft. for the house. (Map 103B/Parcel 074A)

Gina Roy gave staff comments. The applicant is requesting a reduction in the required front setback on Leyland Way from 35 ft. to 22.64 ft. and a reduction in the required front setback on Whitaker Way from 35 ft. to 31.11 ft. in Whitaker Downs Subdivision. The property gains access off of Whitaker Way. According to the letter of intent, the variance is needed to accommodate placement of the septic drain field, and to provide separation from the driveway on the adjacent property on Whitaker Way. Staff recommends approval of this variance.

Lamar Turk, 858 Jett Roberts Road, Jefferson, GA 30549 was present to represent this variance case. Mr. Turk noted that the Jackson County Environmental Health Dept. noted that the house must be located closer to the front of the lot at Whitaker Way for the septic tank and drain field lines due to the type soils on the property. Also, the house must be located toward the left of the property toward Leyland Way in order to meet the driveway separation to adjacent property on Whitaker Way. There was some discussion between the board and Mr. Turk regarding the soil analysis. Barry Lord, Land Surveyor from Commerce, GA, was present stating that he submitted the concept plan showing the location of the house with the setback reductions and neighbor's driveway encroaching onto the proposed property. Charles Hobbs, HOA President of Whitaker Downs Subdivision, was present in favor of the layout of the house on the property. Also, Danny Thackery, 107 Whitaker Way (property to the right of the proposed house), was present in favor of the layout of the house on the property.

There was a letter from Jon & Tina Johnson sent to staff and the board in opposition to this variance case. The Johnson's live at 128 Whitaker Way in Whitaker Downs Subdivision. The Johnson's are concerned about the reduction in the value of their home, if the proposed home at the corner of Whitaker Way and Leyland Way is not visually consistent with the other homes in the subdivision. Also, they have concern that once a precedence is set for allowing the reduction in setbacks, it opens the door for other houses to be built in the subdivision without regards to the current zoning setback requirements. They respectively ask that the board deny the application for this variance.

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 front setback reduction on Leyland Way from 35 ft. to 22.64 ft. and a reduction of the front setback on Whitaker Way from 35 ft. to 31.11 ft. for the house. The motion was seconded by Mark Palmer. The vote was unanimous.

2. BOA-19-12 - Michael Adams, 206 Stream Side Drive, Pendergrass, GA; 5.45 acres; variance for an accessory building over 1,000 sq. ft. and a metal building over 500 sq. ft. in a residential zoning district. (Map 088A/Parcel 025)

Gina Roy gave staff comments. The applicant is requesting a special exception to the UDC – Section 3-002(c) and Section 3-002 (d) in order to construct a 30 x 40 (1,200 sq. ft.) metal building as an accessory structure to his home. According to the letter of intent, the building is intended to be used for general and recreational storage. The property gains access off of Stream Side Drive in River Ridge Subdivision in Pendergrass, GA.

Michael Adams, 206 Stream Side Drive, Pendergrass, GA 30567 was present to represent this variance case. Mr. Adams would like to build an accessory building for general storage exceeding the allowable 1,000 sq. ft. by 200 sq. ft. There was discussion between the board, Mr. Adams, and staff as to where the accessory building will be placed on the property.

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.

Mark Palmer made a motion to approve the variance for an accessory building over 1,000 sq. ft. in a residential zoning district and a metal building over 500 sq. ft. in a residential zoning district. The motion was seconded by Shirley Turner. The vote was unanimous.

3. BOA-19-13 - Ken Martin, 160 Billie Dean Drive, Jefferson, GA; 2.25 acres; variance for an accessory building over 1,000 sq. ft. in a residential zoning district. (Map 095E/Parcel 005)

Gina Roy gave staff comments. The applicant is requesting a special exception to the UDC Section 3-002 (d) in order to construct a 1,500 sq. ft. building as an accessory structure to his home. According to the letter of intent, the accessory building will be used for storage. The accessory building will match his home with hardie board and cedar shake siding as well as match in color.

Bradley Cole Loggins of Jefferson, GA was present to represent this variance case. Mr. Loggins noted that it is the intent of the homeowner to build a 30 x 50 shop used for storage and his RV. The shop will have cedar shake siding on the front and hardie board siding on three sides that matches his home, as well as the paint on the shop will match the paint on his home. There are no bathrooms in the shop. Mr. Ratliff, the homeowner, has the largest lot in the subdivision with 2.25 acres. Also, there are several other property owners in McCain Farms Subdivision that have detached accessory buildings.

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.

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

Shirley Turner made a motion to adjourn and was seconded by Mark Palmer. The meeting adjourned at 6:25 p.m.

Joe Holt, Chairman

Date