



BOARD OF ADJUSTMENTS MINUTES

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

January 2, 2020
6:00 P.M.

Board Members Present

Joe Holt, Chairman
Shirley Turner, Vice-Chairman
James Scott
Steve Wittry

Board Member Absent

Mark Palmer

Staff

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

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

James Scott nominated Joe Holt as Chairman of the Board of Adjustment for 2020 and was seconded by Steve Wittry. The motion was approved unanimously. Joe Holt nominated Shirley Turner as Vice-Chairman of the Board of Adjustment for 2020 and was seconded by Steve Wittry. The motion was approved unanimously.

Steve Wittry made a motion to approve the December 5, 2019 BOA minutes and was seconded by Shirley Turner. The motion was approved unanimously.

Gina Roy gave the staff comments. The Board of Commissioners at their December meeting reappointed James Scott, Steve Wittry, and Shirley Turner for another 4 years to the Board of Adjustment. The deadline for submitting a variance application for February BOA Meeting is Monday, January 6, 2020. There are no cases filed in so far, but we will notify everyone to let them know if we have cases to be heard for the February BOA Meeting. Mrs. Roy read the Public Hearing Procedures and noted that the Public Hearing Procedures are located on the table by the door. Also, Mrs. Roy noted that only 4 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. Then, Mr. Holt asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing.

New Business:

1. VA-19-0015 - JCDB Properties III, LLC, 6696 Hwy. 124 West, Hoschton, GA; 102 acres; a variance to reduce from 2 to 1 entrance to a subdivision to serve 182 lots. (Map 112/Parcel 038)

Toni Harvey gave staff comments. The applicant is requesting a special exception to the Unified Development Code Section 612 (d) in order to construct one entrance off Hwy. 124 rather than the required 2 entrances per the Unified Development Code for a 181 lot subdivision. On December 18, 2017, this property was rezoned along with receiving a special use for a master plan subdivision. The rezone was approved without any conditions. The special use was approved with 5 conditions. The Georgia Dept. of Transportation along with Wilburn Engineering recommends 1 entrance to Hwy. 124 due to the traffic, sight distance, and sound engineering practices. The Unified Development Code requires interconnectivity with adjacent developments, however in this case the property to the east is already a developed subdivision; the property to the west is zoned for commercial; and the property to the north is A-2 zoning (Agricultural Rural Farm District). The only option for future connection would be to the north through one of three properties. Staff recommends approval to reduce the required entrances from 2 to 1 with two conditions:

1. Development to be limited to 181 lots and
2. Vehicular interconnectivity access must be provided along the northern property line for future connection. If the property to the north receives a development permit prior to the completion of this (Tax Map 112/Parcel 038) development, the developer of (Tax Map 112/Parcel 038) must construct the county standard roadway to the property line for interconnectivity. If the property to the north is not developed prior to the completion of this (Tax Map 112/Parcel 038) development, then the property shall be deeded to Jackson County for future interconnectivity.

There was discussion between the board and staff in regards to this variance.

Mark Rudolph, JCDB Properties III, LLC, was present to represent this case. Mr. Rudolph noted that they have been working on this development for the past 2 years. Wilburn Engineering and the Georgia Dept. of Transportation recommends one entrance to this development on Hwy. 124 due to traffic, site distance, and sound engineering practices. They have determined the best area for the entrance to the subdivision is where the current house driveway exist on the property. However, another entrance could be provided through an adjacent property to the north to Walnut Road. The property to the east are established neighborhoods which would not be ideal in adding an entrance. The property to the west is zoned for a commercial development which would not be ideal in adding an additional entrance. Also, the GDOT proposes a center turn lane coming from Braselton to this proposed site and a decel lane coming from Hwy. 332 to the proposed site. There was discussion between the board, applicant, and staff.

R.D. Walker of Oldewick Farm Subdivision was present in opposition to the number of homes as well as to the number of entrances coming out onto Hwy. 124. He noted that currently it is very hard to get in and out of Oldewick Farm Subdivision due to so much traffic. Also, he stated that he's had many close calls for accidents going in and out of Oldewick Farm Subdivision due to site distance on Hwy. 124. This proposed subdivision will generate at least 300 cars onto Hwy. 124. Also, he had concerns regarding the danger of school buses getting in and out of this proposed subdivision with so much traffic on Hwy. 124. He request that the board consider helping the people that currently live in this area with the traffic concerns.

Mark Rudolph, JCDB Properties III, LLC, gave the rebuttal to the opposition. Mr. Rudolph noted that Georgia Dept. of Transportation determines and controls all access points to Hwy. 124. Also, Wilburn Engineering performed a traffic study that included traffic counts, traffic analysis, and entrance design based on the subdivision design. David Elder, the design engineer of the subdivision, worked with the traffic study on the best entrance location to the subdivision, which is where the current house driveway exist on the property. There was discussion among the staff, board, applicant and Mr. Elder.

Joe Holt 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 required entrances from 2 to 1 with two conditions:

1. Development to be limited to 181 lots and
2. Vehicular interconnectivity access must be provided along the northern property line for future connection. If the property to the north receives a development permit prior to the completion of this (Tax Map 112/Parcel 038) development, the developer (of Tax Map 112/Parcel 038) must construct the county standard roadway to the property line for interconnectivity. If the property to the north is not developed prior to the completion of this (Tax Map 112/Parcel 038) development, then the property shall be deeded to Jackson County for future interconnectivity.

The motion was seconded by Shirley Turner. The variance was approved by Steve Wittry, Shirley Turner and James Scott.

Shirley Turner made a motion to adjourn and was seconded by Steve Wittry. The vote was unanimous. The meeting adjourned at 6:30 p.m.

Joe Holt, Chairman

Date