



BOARD OF ADJUSTMENTS MINUTES

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

February 4, 2021
6:00 P.M.

Board Members Present

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

Board Member Absent

Mark Palmer

Staff

Jamie Dove, Public Development Manager
Kathy Holloway, Zoning Administrator

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

James Scott made a motion to approve the January 7, 2021 BOA Minutes and was seconded by Steve Wittry. The motion was approved unanimously.

Jamie Dove gave the staff comments. There will be a Board of Adjustment Meeting on March 4, 2021. Then, Jamie Dove read the public hearing procedures and noted they are located on the table by the door. Mr. Holt asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing.

New Business:

1. VA-20-0044 – Cheryl F. Dunn, 541 P. J. Roberts Road., Jefferson, GA; 103.85 acres; reduce the number of required subdivision entrances from two to one due to the lack of road frontage along P. J. Roberts Road. (Map 094/Parcel 003)

Jamie Dove gave staff comments. The applicant is requesting to reduce the number of required subdivision entrances from two to one due to the lack of road frontage along P. J. Roberts Road. The current Unified Development Code, Article 6, Section 612 (paragraph d) states the following: "A single entrance road to a subdivision shall serve no more than ninety-nine (99) lots. Where the property configuration prohibits or makes impractical the installation of more than one entrance, the Board of Adjustment may waive this requirement following sound engineering practice. When more than one entrance is required, the first additional entrance shall be provided to serve up to an additional 150 lots, and each additional entrance thereafter shall be provided for each additional 250 lots". They propose 200 residential lots within this development. This property gains access off of P. J. Roberts Road, Jefferson, GA. This property was rezoned back in 2006 to R-1 zoning with conditions. In 2019, the Jackson County Board of Commissioners approved to remove the additional 10 ft. of right of way on P. J. Roberts Road, one of the conditions placed on this proposed development back in 2006. Staff has reviewed this application and recommends denial of this variance request, as there is sufficient frontage on P. J. Roberts Road (1,200 feet of road frontage) to install two subdivision entrances.

Gabriel Cunningham, of BM&K Construction & Engineering, P. O. Box 878, Braselton, GA and Michael Miller, of Piedmont Residential, were present to represent this variance case. Mr. Cunningham noted that back in 2006 the Unified Development Code called for two entrances if the subdivision was over 250 lots. After analyzing the site, they feel there is enough road frontage for two driveways. However, they are concerned about some issues. The first entrance would be across the road from an already existing driveway to a residence, as well as lights shining on the residence every time someone pulls out of the subdivision. Secondly, the second entrance would be at the end of P. J. Roberts Road and there would be a site distance problem there. Due to the close proximity of the two driveways as shown on their site plan, they suggest that the second driveway entrance to the subdivision be put on the future development parcel, which is the parcel to the North of the proposed site. Thus, that second entrance would have direct access from Old Pendergrass Road, therefore taking some of the traffic off of P. J. Roberts Road. Then, there was some discussion between the board.

There were many residents on P. J. Roberts Road present in opposition to this variance case. Some of the residents who spoke in opposition are as follows: Faye & Guy Spicer, Michelle Baxley, Jimmy Craft, Clay Harrison, Jennifer Parker, Drew Andrews, Chad Langford. Some of their concerns are as follows: two entrances needed in order to meet safety concerns involving ambulances, fire trucks, and police; a traffic study was needed way before the development process; P. J. Roberts Rd. has a lot of pot holes and will not handle the amount of traffic generated from this proposed subdivision; P. J. Roberts Road is a rural farm community with a lot of farm animals; there are tractors moving hay from one farm to another farm on P. J. Roberts Road; 2nd entrance to the proposed subdivision needs to be on a separate road outside of P. J. Roberts Road; is this the same site plan as presented in 2008; the proposed subdivision is encroaching on a way of life on why people moved to this rural area; need to rework the dangerous intersection at Old Pendergrass Road and P. J. Roberts Road; the Board of Adjustment will be setting a precedence with this variance decision. The applicant's rebuttal is as follows: they will widen and improve P. J. Roberts Road; they will avoid 2 entrances close together and will create a plan to head out toward Old Pendergrass Road for the 2nd entrance; this is not the same site plan as presented in 2008; meet all the county and state requirements of the flood zone area; lot sizes haven't been established yet; they are willing to table the case until a traffic study is done.

Joe Holt closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion. Then, Steve Wittry made a motion not to table this case and to vote on the case this evening and was seconded by James Scott. The motion was unanimous.

Steve Wittry made a motion to deny the reduction of the required subdivision entrances from 2 to 1. The motion was seconded by Jim Scott. The variance was denied unanimously.

Steve Wittry made a motion to adjourn and was seconded by Jim Scott. The motion was unanimous. The meeting adjourned at 6:40 p.m.

Joe Holt, Chairman

Date

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