



## JACKSON COUNTY PLANNING COMMISSION

### Minutes

Jackson County Administration Building Auditorium  
67 Athens Street  
Jefferson, Georgia

February 25, 2021  
6:00 P.M.



#### Members Present

Marty Clark – Chairman  
Harold Mull  
Les Knoblock  
Carson Saville

#### Member Absent

Steve Wittry – Vice-Chairman

#### Staff Present

Jamie Dove – Public Development Manager  
Kathy Holloway – Zoning Coordinator

Marty Clark called the meeting to order at 6:00 pm.

Harold Mull opened in prayer. Then, Marty Clark led everyone in the Pledge of Allegiance.

Les Knoblock made a motion to approve the January 28, 2021 Planning Commission Minutes and was seconded by Harold Mull. The motion was approved unanimously.

Jamie Dove noted there will be a March 25, 2021 Planning Commission Meeting. Furthermore, Jamie Dove read the public hearing procedures and noted they are located on the table by the door.

#### New Business –

1. CC-20-0008 – Cheryl F. Dunn, 541 P. J. Roberts Rd., Jefferson, GA; 103.85 acres; adding condition to allow lot widths to be a minimum of 60 ft. (Map 094/Parcel 003)

Jamie Dove noted that the owner, Cheryl F. Dunn, requested by letter that she would like to table this case until the March 25, 2021 Planning Commission Meeting.

Les Knoblock made a motion to **Table** the change in conditions case until the March 25, 2021 Planning Commission Meeting. The motion was seconded by Harold Mull. Les Knoblock, Harold Mull, and Carson Saville approved to **Table** the change in conditions case until March 25, 2021 Planning Commission Meeting.

2. MA-20-0038 – Kenny Whitworth, 2500 Holiday Cemetery Rd., Athens, GA; 68.15 acres; change the Character Area Map from “Agricultural” to “Suburban” and change the Future Land Use Map from “Agricultural/Forestry” to “Residential”. (Map 057/Parcel 018B)

Jamie Dove gave the staff report. The applicant is requesting a Character Area Map change from “Agriculture” to “Suburban” and a Future Land Use Map change from “Agricultural/Forestry” to “Residential” to develop a single-family residential subdivision. If the map amendment is approved, it would authorize the applicant to file for a R-1 or R-2 zoning. The applicant has submitted a site plan with 40 lots. The length of the cul-de-sac shown on the site plan (+/- 3,000 feet) exceeds the length allowed by the UDC. The code states the maximum length of a cul-de-sac street shall be 600 feet, unless necessitated by topographic or other conditions and approved by the Public Development Director. If these conditions exist, the maximum length shall be 1,500 feet unless a greater length is approved as a special exception by the Board of Adjustment. Staff recommends approval of the map amendment case.

Kenny Whitworth, 3505 River Birch Loop, Jefferson, GA was present to represent this map amendment case. Mr. Whitworth noted that they are requesting a character area map amendment to “Suburban” and a future land use map amendment to “Residential” in order to rezone the property for a residential subdivision. They plan to develop 40 lots (3/4 to 1 acre lots) with water and septic systems. The houses will range from \$400,000 to \$500,000. There is a dirt road or easement that splits this property approximately 3/4 of the way back that leads to chicken houses. The subdivision will be built to the right of the dirt road (approximately 50 acres). The dirt road will not be incorporated into the subdivision. The property to the left of the dirt road (approximately 16 acres) will not be included in the subdivision and will remain agricultural property. The applicant is in the process of getting this 2 lot split of the proposed property recorded.

There were a few people present in opposition to this map amendment. Justin Weeks, Robert France, and Jerry Crower who live on Holiday Cemetery Road or in the South Jackson area are in opposition to this development with the following concerns: there will be a lot of traffic noise from feed trucks, litter trucks, etc. going in and out from the chicken houses on this dirt road during the day and night; know there will be complaints from the owners in the proposed subdivision regarding the dust from the dirt road as well as the traffic noise and chicken house smell; want the board to protect the planned farming area; would like to see large 10 acre tracts rather than 40 lots. Then, there was a rebuttal from Kenny Whitworth regarding the above concerns. Mr. Whitworth believes there is a need in this area for more housing. Approximately 1/4 of a mile down Brock Road towards Hwy. 129 are 2 nice subdivisions. He noted that he is not trying to interfere with the chicken farm or move him out, but wants to work with the owner of the chicken farm and other adjacent property owners. They will notify the buyers of the proposed homes of the chicken farm behind this property. There are some people who don't mind the chicken house smell. Also, across the road from this proposed property, there is a platted subdivision with large 10 acre tracts.

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

Les Knoblock made a motion to approve the map amendment, but with no second. Then, Harold Mull made a motion to deny the map amendment, but with no second. Then, Carson Saville made a motion to **Table** the map amendment until March 25<sup>th</sup>, 2021 Planning Commission Meeting with a second by Harold Mull. Carson Saville, Harold Mull, and Les Knoblock approved to **Table** the map amendment case until March 25, 2021 Planning Commission Meeting.

3. MA-21-0040 – Joan Lance Williamson, 1681 Pettijohn Rd., Pendergrass, GA; 116.60 acres; change the Character Area Map from “Rural” to “Urban” and change the Future Land Use Map from “Residential” to “Industrial”.  
(Map 090/Parcel 006)

Jamie Dove gave the staff report. The applicant is requesting a Character Area Map Amendment from “Rural” to “Urban” and a Future Land Use Map Amendment from “Residential” to “Industrial” for industrial use. If the map amendment is approved, then the applicant/owner will apply for a rezone of the property to an industrial zoning. The property has frontage on two roads, Wayne Poultry Road and Pettijohn Road. There is public water available adjacent to the property on Wayne Poultry Road. Public gravity sewer is available in the area. It appears the proposed parcels will require a gravity sewer trunk line with multiple easements across nearby parcels. Staff recommends approval of the map amendment case.

Stanton Porter, Law Offices of Stell, Smith & Mattison, 98 N. Broad Street, Winder, GA was present to represent this map amendment case. The proposed property consist of 4 tracts that are adjacent to each other and split by Wayne Poultry Road. The owner of the property, Joan Lance Williamson, is the executor of the estate and she personally owns one of the four tracts. The current Character and Future Land Use Maps for the proposed property shows Rural/Residential and zoned Agricultural. But, to the South and East of the proposed property is zoned Industrial. The proposed property is close to Hwy. 129 and I-85 and industrial zoning fits in with the surrounding area. Also, the proposed property to North of Wayne Poultry will be a warehouse distribution facility and the proposed property to the South of Wayne Poultry will be paved or gravel parking area to serve the industrial facility across the road. Mr. Porter noted that they are still working on the final concept plan. This development will benefit Jackson County by bringing more jobs to the area. Then, there was discussion between the board, applicant, and staff.

Dana Maysonet, 212 Mitchell St., Maysville, Ga was present to represent her family and 9 other families on Pettijohn Road, Pendergrass, GA. She grew up on Pettijohn Road and lived there for 30 years. There are a lot of warehouses on Wayne Poultry Road and some sit empty. The Jackson County Sheriff’s Office has been called numerous times because the transfer trucks can’t find the warehouses in the area. The industrial area on Wayne Poultry Road is ruining the agricultural environment in this area. Also, the families on Pettijohn Road have the following concerns: more industry to the area increasing crime; will their property taxes increase; increase of noise and trucks on Pettijohn Road and Wayne Poultry Road; the safety concerns of small children that live on Pettijohn Road; increase in vehicle accidents; there is a flood plain area on the proposed property. Ms. Maysonet noted that this development will negatively affect the life of the residents who live on Pettijohn Road. Mr. Porter had no rebuttal to the above issues.

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

Les Knoblock made a motion to **approve** the Character Area Map change from “Rural” to “Urban” and the Future Land Use Map change from “Residential” to “Industrial” for the 116.60 acre tract located at 1681 Pettijohn Road, Pendergrass, GA. The motion was seconded by Carson Saville. Les Knoblock and Carson Saville approved the map amendment case. Harold Mull denied the map amendment case. Thus, the map amendment was **approved**.

4. MA-21-0042 – Joan Lance Williamson, 1752 Wayne Poultry Road, Pendergrass, GA; 4.0 acres; change the Character Area Map from “Rural” to “Urban” and change the Future Land Use Map from “Residential” to “Industrial”.  
(Map 091/Parcel 006P)

Jamie Dove gave the staff report. The applicant is requesting a Character Area Map Amendment from “Rural” to “Urban” and a Future Land Use Map Amendment from “Residential” to “Industrial” for industrial use. If the map amendment is approved, then the applicant/owner will apply for a rezone of the property to an industrial zoning. The 4.0 acre tract is located at 1752 Wayne Poultry Road, Pendergrass, GA. There is public water available adjacent to the property on Wayne Poultry Road. Public gravity sewer is available in the area. It appears the proposed parcels will require a gravity sewer trunk line with multiple easements across nearby parcels. Staff recommends approval of the map amendment case.

Stanton Porter, Law Offices of Stell, Smith & Mattison, 98 N. Broad Street, Winder, GA was present to represent this map amendment case. The proposed property consist of 4 tracts that are adjacent to each other and split by Wayne Poultry Road. The owner of the property, Joan Lance Williamson, is the executor of the estate and she personally owns one of the four tracts. The current Character and Future Land Use Maps for the proposed property shows Rural/Residential and zoned Agricultural. But, to the South and East of the proposed property is zoned Industrial. The proposed property is close to Hwy. 129 and I-85 and industrial zoning fits in with the surrounding area. Also, the proposed property to North of Wayne Poultry will be a warehouse distribution facility and the proposed property to the South of Wayne Poultry will be paved or gravel parking area to serve the industrial facility across the road. Mr. Porter noted that they are still working on the final concept plan. This development will benefit Jackson County by bringing more jobs to the area. Then, there was discussion between the board, applicant, and staff.

Dana Maysonet, 212 Mitchell St., Maysville, Ga was present to represent her family and 9 other families on Pettijohn Road, Pendergrass, GA. She grew up on Pettijohn Road and lived there for 30 years. There are a lot of warehouses on Wayne Poultry Road and some sit empty. The Jackson County Sheriff’s Office has been called numerous times because the transfer trucks can’t find the warehouses in the area. The industrial area on Wayne Poultry Road is ruining the agricultural environment in this area. Also, the families on Pettijohn Road have the following concerns: more industry to the area increasing crime; will their property taxes increase; increase of noise and trucks on Pettijohn Road and Wayne Poultry Road; the safety concerns of small children that live on Pettijohn Road; increase in vehicle accidents; there is a flood plain area on the proposed property. Ms. Maysonet noted that this development will negatively affect the life of the residents who live on Pettijohn Road. Mr. Porter had no rebuttal to the above issues.

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

Les Knoblock made a motion to **approve** the Character Area Map change from “Rural” to “Urban” and the Future Land Use Map change from “Residential” to “Industrial” for the 4.0 acre tract located at 1752 Wayne Poultry Road, Pendergrass, GA. The motion was seconded by Carson Saville. Les Knoblock and Carson Saville approved the map amendment case. Harold Mull denied the map amendment case. Thus, the map amendment was **approved**.

5. MA-21-0043 – Joan Lance Williamson, Wayne Poultry Road, Pendergrass, GA; 3.0 acres; change the Character Area Map from “Rural” to “Urban” and change the Future Land Use Map from “Residential” to “Industrial”.  
(Map 091/Parcel 006V)

Jamie Dove gave the staff report. The applicant is requesting a Character Area Map Amendment from “Rural” to “Urban” and a Future Land Use Map Amendment from “Residential” to “Industrial” for industrial use. If the map amendment is approved, then the applicant/owner will apply for a rezone of the property to an industrial zoning. The 3.0 acre tract is located directly south of 1752 Wayne Poultry Road and has no road frontage. There is public water available adjacent to the property on Wayne Poultry Road. Public gravity sewer is available in the area. It appears the proposed parcels will require a gravity sewer trunk line with multiple easements across nearby parcels. Staff recommends approval of the map amendment case.

Stanton Porter, Law Offices of Stell, Smith & Mattison, 98 N. Broad Street, Winder, GA was present to represent this map amendment case. The proposed property consist of 4 tracts that are adjacent to each other and split by Wayne Poultry Road. The owner of the property, Joan Lance Williamson, is the executor of the estate and she personally owns one of the four tracts. The current Character and Future Land Use Maps for the proposed property shows Rural/Residential and zoned Agricultural. But, to the South and East of the proposed property is zoned Industrial. The proposed property is close to Hwy. 129 and I-85 and industrial zoning fits in with the surrounding area. Also, the proposed property to North of Wayne Poultry will be a warehouse distribution facility and the proposed property to the South of Wayne Poultry will be paved or gravel parking area to serve the industrial facility across the road. Mr. Porter noted that they are still working on the final concept plan. This development will benefit Jackson County by bringing more jobs to the area. Then, there was discussion between the board, applicant, and staff.

Dana Maysonet, 212 Mitchell St., Maysville, Ga was present to represent her family and 9 other families on Pettijohn Road, Pendergrass, GA. She grew up on Pettijohn Road and lived there for 30 years. There are a lot of warehouses on Wayne Poultry Road and some sit empty. The Jackson County Sheriff’s Office has been called numerous times because the transfer trucks can’t find the warehouses in the area. The industrial area on Wayne Poultry Road is ruining the agricultural environment in this area. Also, the families on Pettijohn Road have the following concerns: more industry to the area increasing crime; will their property taxes increase; increase of noise and trucks on Pettijohn Road and Wayne Poultry Road; the safety concerns of small children that live on Pettijohn Road; increase in vehicle accidents; there is a flood plain area on the proposed property. Ms. Maysonet noted that this development will negatively affect the life of the residents who live on Pettijohn Road. Mr. Porter had no rebuttal to the above issues.

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

Les Knoblock made a motion to **approve** the Character Area Map change from “Rural” to “Urban” and the Future Land Use Map change from “Residential” to “Industrial” for the 3.0 acre tract located south of 1752 Wayne Poultry Road, Pendergrass, GA. The motion was seconded by Carson Saville. Les Knoblock and Carson Saville approved the map amendment case. Harold Mull denied the map amendment case. Thus, the map amendment was **approved**.

6. MA-21-0044 – Joan Lance Williamson, 1681 Wayne Poultry Rd., Pendergrass, GA; 20.66 acres; change the Character Area Map from “Rural” to “Urban” and change the Future Land Use Map from “Residential” to “Industrial”.  
(Map 091/Parcel 006)

Jamie Dove gave the staff report. The applicant is requesting a Character Area Map Amendment from “Rural” to “Urban” and a Future Land Use Map Amendment from “Residential” to “Industrial” for industrial use. If the map amendment is approved, then the applicant/owner will apply for a rezone of the property to an industrial zoning. The 20.66 acre tract is located at 1681 Wayne Poultry Rd., Pendergrass, GA. There is public water available adjacent to the property on Wayne Poultry Road. Public gravity sewer is available in the area. It appears the proposed parcels will require a gravity sewer trunk line with multiple easements across nearby parcels. Staff recommends approval of the map amendment case.

Stanton Porter, Law Offices of Stell, Smith & Mattison, 98 N. Broad Street, Winder, GA was present to represent this map amendment case. The proposed property consist of 4 tracts that are adjacent to each other and split by Wayne Poultry Road. The owner of the property, Joan Lance Williamson, is the executor of the estate and she personally owns one of the four tracts. The current Character and Future Land Use Maps for the proposed property shows Rural/Residential and zoned Agricultural. But, to the South and East of the proposed property is zoned Industrial. The proposed property is close to Hwy. 129 and I-85 and industrial zoning fits in with the surrounding area. Also, the proposed property to North of Wayne Poultry will be a warehouse distribution facility and the proposed property to the South of Wayne Poultry will be paved or gravel parking area to serve the industrial facility across the road. Mr. Porter noted that they are still working on the final concept plan. This development will benefit Jackson County by bringing more jobs to the area. Then, there was discussion between the board, applicant, and staff.

Dana Maysonet, 212 Mitchell St., Maysville, Ga was present to represent her family and 9 other families on Pettijohn Road, Pendergrass, GA. She grew up on Pettijohn Road and lived there for 30 years. There are a lot of warehouses on Wayne Poultry Road and some sit empty. The Jackson County Sheriff’s Office has been called numerous times because the transfer trucks can’t find the warehouses in the area. The industrial area on Wayne Poultry Road is ruining the agricultural environment in this area. Also, the families on Pettijohn Road have the following concerns: more industry to the area increasing crime; will their property taxes increase; increase of noise and trucks on Pettijohn Road and Wayne Poultry Road; the safety concerns of small children that live on Pettijohn Road; increase in vehicle accidents; there is a flood plain area on the proposed property. Ms. Maysonet noted that this development will negatively affect the life of the residents who live on Pettijohn Road. Mr. Porter had no rebuttal to the above issues.

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

Les Knoblock made a motion to **approve** the Character Area Map change from “Rural” to “Urban” and the Future Land Use Map change from “Residential” to “Industrial” for the 20.66 acre tract located at 1681 Wayne Poultry Road, Pendergrass, GA. The motion was seconded by Carson Saville. Les Knoblock and Carson Saville approved the map amendment case. Harold Mull denied the map amendment case. Thus, the map amendment was **approved**.

7. RZ-20-0051 – Chafin Communities (Clint Dixon), 1288 Maddox Road, Hoschton, GA; part of 87+ acre tract; rezone from A-2 to R-2 for a residential subdivision.  
(Map 112/Parcel 037)

Jamie Dove gave the staff report. The applicant is requesting to rezone the proposed property from A-2 (Agricultural Rural Farm District) to R-2 (Residential – Medium Density Residential District). Also, they request a special use for a master planned development. The concept plan proposes 167 lots on a combination of Map 112/Parcel 037 (2 tracts) one tract on both sides of Maddox Road and Map 112/Parcel 037A (2 tracts) one tract on both sides of Maddox Road. The total acreage of this development is approximately 87.699 acres. The proposed development will have 3 entrances on Maddox Road. One entrance will serve 45 lots and the other two entrances will serve 122 lots. The Town of Braselton will serve the development with water and sewer. Any upgrades or extensions necessary for water or sewer will be borne by the developer. Staff recommends approval of the rezone case.

Clint Dixon, Chafin Communities, 5230 Bellewood Ct., Buford, GA was present to represent this rezone case. Chafin Communities is requesting a rezoning of 87 + acres to R-2 zoning with a Special Use for a master planned development located at 1288 and 1369 Maddox Road, Hoschton, GA. There is property located on both sides of Maddox Road. This residential community will have approximately 167 lots in the low to mid \$300,000 range depending on the housing market at that time. Also there will be a pool and cabana within the community. Mr. Dixon had questions in regards to the proffered conditions. Ms. Dove noted that the proffered conditions is staff’s analysis of their concept plan with suggestions only. Also, the stream buffer around the lake is 25 ft. State buffer plus a 50 ft. County buffer. If they need a reduction of the stream buffer around the lake, they would need to go before the Jackson County Board of Adjustments.

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.

Les Knoblock **approved** the rezone from A-2 (Agricultural Rural Farm District) to R-2 (Residential – Medium Density Residential District) for a residential subdivision. The motion was seconded by Harold Mull. Les Knoblock, Harold Mull, and Carson Saville **approved** the rezone.

8. SU-21-0013 – Chafin Communities (Clint Dixon), 1288 Maddox Road, Hoschton, GA; past of 87+ acre tract; special use for a master planned development. (Map 112/Parcel 037)

Jamie Dove gave the staff report. The applicant is requesting to rezone the proposed property from A-2 (Agricultural Rural Farm District) to R-2 (Residential – Medium Density Residential District). Also, they request a special use for a master planned development. The concept plan proposes 167 lots on a combination of Map 112/Parcel 037 (2 tracts) one tract on both sides of Maddox Road and Map 112/Parcel 037A (2 tracts) one tract on both sides of Maddox Road. The total acreage of this development is approximately 87.699 acres. The proposed development will have 3 entrances on Maddox Road. One entrance will serve 45 lots and the other two entrances will serve 122 lots. The Town of Braselton will serve the development with water and sewer. Any upgrades or extensions necessary for water or sewer will be borne by the developer. Staff recommends approval of the special use case.

Clint Dixon, Chafin Communities, 5230 Bellewood Ct., Buford, GA was present to represent this rezone case. Chafin Communities is requesting a rezoning of 87 + acres to R-2 zoning with a Special Use for a master planned development located at 1288 and 1369 Maddox Road, Hoschton, GA. There is property located on both sides of Maddox Road. This residential community will have approximately 167 lots in the low to mid \$300,000 range depending on the housing market at that time. Also there will be a pool

and cabana within the community. Mr. Dixon had questions in regards to the proffered conditions. Ms. Dove noted that the proffered conditions is staff's analysis of their concept plan with suggestions only. Also, the stream buffer around the lake is 25 ft. State buffer plus a 50 ft. County buffer. If they need a reduction of the stream buffer around the lake, they would need to go before the Jackson County Board of Adjustments.

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.

Les Knoblock made a motion to **approve** the special use for a master planned development with the following conditions:

- 1) All lots shall be accessed only from internal subdivision streets. A 10 foot wide no access easement shall be required along the entire property fronting Maddox Road except for approved subdivision street connection.
- 2) No vinyl siding to be used within development.
- 3) Minimum lot size shall be 10,000 square feet.
- 4) Lot width shall be a minimum of 75 feet.
- 5) Principal building setbacks proposed are 20 feet front, 10 feet sides, and 30 feet rear.
- 6) A preliminary plat shall be required to be submitted and administratively approved by the Department of Public Development prior to issuance of a land disturbance or development permit. The preliminary plat must demonstrate compliance with these conditions of Special Use approval and, in addition, must provide a functional, accessible open space network with usable open space approved by the Department.
- 7) 20 ft. of additional right-of-way is to be dedicated to Jackson County; 10 ft. per side of Maddox Road.

The motion was seconded by Harold Mull. Les Knoblock, Harold Mull, and Carson Saville **approved** the special use.

9. RZ-21-0053 – Chafin Communities (Clint Dixon), 1369 Maddox Road, Hoschton, GA; part of 87+ acre tract; rezone from A-2 to R-2 for a residential subdivision. (Map 112/Parcel 037A)

Jamie Dove gave the staff report. The applicant is requesting to rezone the proposed property from A-2 (Agricultural Rural Farm District) to R-2 (Residential – Medium Density Residential District). Also, they request a special use for a master planned development. The concept plan proposes 167 lots on a combination of Map 112/Parcel 037 (2 tracts) one tract on both sides of Maddox Road and Map 112/Parcel 037A (2 tracts) one tract on both sides of Maddox Road. The total acreage of this development is approximately 87.699 acres. The proposed development will have 3 entrances on Maddox Road. One entrance will serve 45 lots and the other two entrances will serve 122 lots. The Town of Braselton will serve the development with water and sewer. Any upgrades or extensions necessary for water or sewer will be borne by the developer. Staff recommends approval of the rezone case.

Clint Dixon, Chafin Communities, 5230 Bellewood Ct., Buford, GA was present to represent this rezone case. Chafin Communities is requesting a rezoning of 87 + acres to R-2 zoning with a Special Use for a master planned development located at 1288 and 1369 Maddox Road, Hoschton, GA. There is property located on both sides of Maddox Road. This residential community will have approximately 167 lots in the low to mid \$300,000 range depending on the housing market at that time. Also there will be a pool

and cabana within the community. Mr. Dixon had questions in regards to the proffered conditions. Ms. Dove noted that the proffered conditions is staff's analysis of their concept plan with suggestions only. Also, the stream buffer around the lake is 25 ft. State buffer plus a 50 ft. County buffer. If they need a reduction of the stream buffer around the lake, they would need to go before the Jackson County Board of Adjustments.

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.

Les Knoblock **approved** the rezone from A-2 (Agricultural Rural Farm District) to R-2 (Residential – Medium Density Residential District) for a residential subdivision. The motion was seconded by Harold Mull. Les Knoblock, Harold Mull, and Carson Saville **approved** the rezone.

10. SU-21-0014 – Chafin Communities (Clint Dixon), 1369 Maddox Road, Hoschton, GA; part of 87+ acre tract; special use for a master planned development. (Map 112/Parcel 037A)

Jamie Dove gave the staff report. The applicant is requesting to rezone the proposed property from A-2 (Agricultural Rural Farm District) to R-2 (Residential – Medium Density Residential District). Also, they request a special use for a master planned development. The concept plan proposes 167 lots on a combination of Map 112/Parcel 037 (2 tracts) one tract on both sides of Maddox Road and Map 112/Parcel 037A (2 tracts) one tract on both sides of Maddox Road. The total acreage of this development is approximately 87.699 acres. The proposed development will have 3 entrances on Maddox Road. One entrance will serve 45 lots and the other two entrances will serve 122 lots. The Town of Braselton will serve the development with water and sewer. Any upgrades or extensions necessary for water or sewer will be borne by the developer. Staff recommends approval of the special use case.

Clint Dixon, Chafin Communities, 5230 Bellewood Ct., Buford, GA was present to represent this rezone case. Chafin Communities is requesting a rezoning of 87 + acres to R-2 zoning with a Special Use for a master planned development located at 1288 and 1369 Maddox Road, Hoschton, GA. There is property located on both sides of Maddox Road. This residential community will have approximately 167 lots in the low to mid \$300,000 range depending on the housing market at that time. Also there will be a pool and cabana within the community. Mr. Dixon had questions in regards to the proffered conditions. Ms. Dove noted that the proffered conditions is staff's analysis of their concept plan with suggestions only. Also, the stream buffer around the lake is 25 ft. State buffer plus a 50 ft. County buffer. If they need a reduction of the stream buffer around the lake, they would need to go before the Jackson County Board of Adjustments.

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.

Les Knoblock made a motion to **approve** the special use for a master planned development with the following conditions:

- 1) All lots shall be accessed only from internal subdivision streets. A 10 foot wide no access easement shall be required along the entire property fronting Maddox Road except for approved subdivision street connection.

- 2) No vinyl siding to be used within development.
- 3) Minimum lot size shall be 10,000 square feet.
- 4) Lot width shall be a minimum of 75 feet.
- 5) Principal building setbacks proposed are 20 feet front, 10 feet sides, and 30 feet rear.
- 6) A preliminary plat shall be required to be submitted and administratively approved by the Department of Public Development prior to issuance of a land disturbance or development permit. The preliminary plat must demonstrate compliance with these conditions of Special Use approval and, in addition, must provide a functional, accessible open space network with usable open space approved by the Department.
- 7) 20 ft. of additional right-of-way is to be dedicated to Jackson County; 10 ft. per side of Maddox Road.

The motion was seconded by Harold Mull. Les Knoblock, Harold Mull, and Carson Saville **approved** the special use.

11. RZ-20-0052 – L.T.R. Investments, LLC (Larry Ross), intersection of Hwy. 124 and Olde Wick Trail, Hoschton, GA; 22.726 acres; rezone from R-1 to R-3 for a townhome development. (Map 105/Parcel 001A)

Jamie Dove gave the staff report. This development was approved by the Board of Commissioners for a map amendment back in December 2020. Now, the applicant is requesting to rezone the property from R-1 (Low Density, Single Family Residential District) to R-3 (Multi-Family Residential District) for a townhome development. The property fronts on Hwy. 124 and has access to Manor Lake Circle. Public water and sewer are available through Jackson County Water and Sewer Authority. Staff recommends approval with the following conditions:

- 1) Applicant shall be required to enter into a Joint Use and Maintenance Agreement for the storm water detention pond serving the subject property and adjacent commercial property already in development and delineated on the plat submitted as part of this rezoning application.
- 2) The property shall be developed for attached townhome dwellings and accessory uses, not to exceed 103 units.
- 3) The minimum heated floor area per unit shall be 1,800 square feet.
- 4) Each unit shall have a two-car garage.
- 5) All dwellings shall have front facades and sides of brick and/or stacked stone with accents of fiber-cement shake or siding. The rear may be the same material or wood siding, wood shake, real cedar shake, or fiber-cement shake or siding.
- 6) A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of common areas/facilities, street frontage landscaping, and lawn and ornamental planting maintenance for the overall development.
- 7) Underground utilities shall be provided throughout the development.

Jack Wilson, Attorney for applicant, 10 Lumpkin Street, Lawrenceville, GA was present to represent this rezone case. They are seeking to rezone to R-3 (Multi-Family Residential District) to allow for an upscale townhome development on a 22 acre tract located on Hwy. 124, Hoschton, GA. Mr. Wilson noted that this townhome development provides a transition in this area between commercial uses, office uses, assisted living uses, and residential uses. There have been concerns for this development about the ingress and egress with the increase in traffic along Hwy. 124. In addition to the primary entrance on Hwy. 124, there are 5 other curb cuts on State Hwy.'s with inter parcel easements between the properties. They have adjusted the primary entrance on the site plan on Hwy. 124 a little further South to align it better with Captain Jack Way. The residents will have access to groceries, pharmacy, gas station, doctor's office, restaurants, household goods, hair salon, dry cleaners, and fitness center without getting on Hwy. 124. They are proposing 22% of open space rather than 20% open space required by the Unified

Development Code. Also, they are proposing 4 units per acre rather than 8 units per acre required by the Unified Development Code. The price range for the development based on the current market is between \$275,000 and \$300,000 range. They plan to install a berm and landscaping on the front of the property to provide screening to the single family residential development across Hwy. 124. They propose the front of the townhouses to be brick on the main floor and hardiplank siding on the 2<sup>nd</sup> floor. Also, they plan to work with Georgia Department of Transportation with the driveway entrance and turn lanes into this development. Then, there was discussion between Mr. Wilson, the board, and staff.

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.

Harold Mull made a motion to **approve** the rezone from R-1(Low Density, Single Family Residential District) to R-3 (Multi-Family Residential District) for a townhome development with the following conditions:

- 1) Applicant shall be required to enter into a Joint Use and Maintenance Agreement for the storm water detention pond serving the subject property and adjacent commercial property already in development and delineated on the plat submitted as part of this rezoning application.
- 2) The property shall be developed for attached townhome dwellings and accessory uses, not to exceed 103 units.
- 3) The minimum heated floor area per unit shall be 1,800 square feet.
- 4) Each unit shall have a two-car garage.
- 5) All dwellings shall have front facades and sides of brick, and/or stacked stone with accents of fiber-cement shake or siding, including hardiplank. The rear may be the same material or wood siding, wood shake, real cedar shake, or fiber-cement shake or siding.
- 6) A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of common areas/facilities, street frontage landscaping, and lawn and ornamental planting maintenance for the overall development.
- 7) Underground utilities shall be provided throughout the development.

The motion was seconded by Les Knoblock. Harold Mull, Les Knoblock, and Carson Saville **approved** the rezone.

12. RZ-21-0054 – New Liberty United Methodist Church (Brett Gallman), 17 Thompson Mill Road, Braselton, GA; 6.44 acres; rezone from A-2 to CRC for a LED Church Sign. (Map 123/Parcel 009)

Jamie Dove gave the staff report. The applicant was approved by the Board of Commissioners for a map amendment to this property a few months ago. Now, the applicant is requesting a rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial District) to allow for an LED Church Sign for use by New Liberty United Methodist Church. The sign is planned to be +/- 35 inches high and +/- 80 inches wide. LED signs are only allowed in commercial zoning districts.

Glenn Jones, representative of New Liberty United Methodist Church, 1047 New Cut Rd., Braselton, GA was present to represent this rezone case. Mr. Jones stated that the church wants to replace the plastic sign for a modern LED sign.

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.

Harold Mull made a motion to **approve** the rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial District) to allow for a LED Church Sign. The motion was seconded by Les Knoblock. Harold Mull, Les Knoblock, and Carson Saville **approved** the rezone.

13. RZ-21-0055 – Genuine Mapping and Design, LLC, Waterworks Road, Nicholson, GA; 5.58 acres; rezone from A-2 to R-1 for a residential subdivision.  
(Map 024/Parcel 017B)

Jamie Dove gave the staff report. The applicant is requesting a rezoning from A-2 (Agricultural Rural Farm District) to R-1 (Single Family Detached Residential District) for a residential subdivision. The property is located across the road from the East Jackson School System pod. The lot sizes range from .75 acre to 1.14 acres in size. The lots will be connected to public water through the City of Nicholson and with septic systems. Staff recommends approval with the following conditions:

- 1). The minimum heated floor space shall be 1,800 square feet.
- 2). No vinyl siding shall be used in the development.
- 3). A mandatory homeowners association shall be responsible for any maintenance associated with the open space and any proposed signage and landscaping proposed at the entrance.
- 4). The National Wetlands Inventory Map indicates the presence of wetlands on the south west corner of Map & Parcel 024 017B1. It is important for these wetlands to be identified accurately on a property survey with field run topo. These wetlands need to be shown as protected on the final design. There is also the presence of 100 year floodplain along the south west corner of Map & Parcel 024 017B1.
- 5) The length of the cul-de-sac shown on the Rezoning Plan exceeds the length allowed by the UDC. Article 16 Streets & Sidewalks, Sec. 1616 Dead end streets and Cul-de-sacs, Item (c) states the following..."Maximum length. The maximum length of a cul-de-sac street shall be 600 feet, unless necessitated by topographic or other conditions and approved by the Public Development Director. If these conditions exist, the maximum length shall be 1,500 feet unless a greater length is approved as a special exception by the Board of Adjustment. The length of the cul-de-sac shown on the Rezoning Plan exceeds +/-2,800 feet. The length of the cul-de-sac either needs to be shortened or an application for a special exception needs to be made to the Board of Adjustment for their consideration.

**Note:** No plans in any way are being approved as a part of this rezone request. All design and construction plans will have to be developed according to the Jackson County UDC.

Scotty Doss, Genuine Mapping & Design, LLC, 64 Washington Street, Jefferson, GA was present to represent this rezone case. Mr. Doss noted that they seek to rezone the property to R-1 for a 39 lot residential subdivision. The homes will be 2500 sq. ft. and in the \$350,000 range. The concept plan shows the streams on the property as well as the 75 ft. stream buffer. Also, the concept plan is subject to change due to the soils, field conditions, wetlands, etc. There is no traffic study at this time. There was discussion between Mr. Doss, the board, and staff regarding the streams on the property and the traffic concerns at the schools.

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.

Harold Mull made a motion to **approve** the rezone from A-2 (Agricultural Rural Farm District) to R-1 (Single Family Detached Residential District) for a residential subdivision with the following conditions:

- 1). The minimum heated floor space shall be 1,800 square feet.
- 2). No vinyl siding shall be used in the development.
- 3). A mandatory homeowners association shall be responsible for any maintenance associated with the open space and any proposed signage and landscaping proposed at the entrance.
- 4). The National Wetlands Inventory Map indicates the presence of wetlands on the south west corner of Map & Parcel 024 017B1. It is important for these wetlands to be identified accurately on a property survey with field run topo. These wetlands need to be shown as protected on the final design. There is also the presence of 100 year floodplain along the south west corner of Map & Parcel 024 017B1.
- 5) The length of the cul-de-sac shown on the Rezoning Plan exceeds the length allowed by the UDC. Article 16 Streets & Sidewalks, Sec. 1616 Dead end streets and Cul-de-sacs, Item (c) states the following..."Maximum length. The maximum length of a cul-de-sac street shall be 600 feet, unless necessitated by topographic or other conditions and approved by the Public Development Director. If these conditions exist, the maximum length shall be 1,500 feet unless a greater length is approved as a special exception by the Board of Adjustment. The length of the cul-de-sac shown on the Rezoning Plan exceeds +/-2,800 feet. The length of the cul-de-sac either needs to be shortened or an application for a special exception needs to be made to the Board of Adjustment for their consideration.

**Note:** No plans in any way are being approved as a part of this rezone request. All design and construction plans will have to be developed according to the Jackson County UDC.

The motion was seconded by Les Knoblock. Harold Mull, Les Knoblock, and Carson Saville **approved** the rezone.

14. RZ-21-0057 – Genuine Mapping and Design, LLC, Waterworks Road, Nicholson, GA; 51.98 acres; rezone from A-2 to R-1 for a residential subdivision. (Map 024/Parcel 017B1)

Jamie Dove gave the staff report. The applicant is requesting a rezoning from A-2 (Agricultural Rural Farm District) to R-1 (Single Family Detached Residential District) for a residential subdivision. The property is located across the road from the East Jackson School System pod. The lot sizes range from .75 acre to 1.14 acres in size. The lots will be connected to public water through the City of Nicholson and with septic systems. Staff recommends approval with the following conditions:

- 1). The minimum heated floor space shall be 1,800 square feet.
- 2). No vinyl siding shall be used in the development.
- 3). A mandatory homeowners association shall be responsible for any maintenance associated with the open space and any proposed signage and landscaping proposed at the entrance.
- 4). The National Wetlands Inventory Map indicates the presence of wetlands on the south west corner of Map & Parcel 024 017B1. It is important for these wetlands to be identified accurately on a property survey with field run topo. These wetlands need to be shown as protected on the final design. There is also the presence of 100 year floodplain along the south west corner of Map & Parcel 024 017B1.
- 5) The length of the cul-de-sac shown on the Rezoning Plan exceeds the length allowed by the UDC. Article 16 Streets & Sidewalks, Sec. 1616 Dead end streets and Cul-de-sacs, Item (c) states the following..."Maximum length. The maximum length of a cul-de-sac street shall be 600 feet, unless necessitated by topographic or other conditions and approved by the Public Development Director. If these conditions exist, the maximum length shall be 1,500 feet unless a greater length is approved as a special exception by the Board of Adjustment. The length of the cul-de-sac shown on the Rezoning Plan

exceeds +/-2,800 feet. The length of the cul-de-sac either needs to be shortened or an application for a special exception needs to be made to the Board of Adjustment for their consideration.

**Note:** No plans in any way are being approved as a part of this rezone request. All design and construction plans will have to be developed according to the Jackson County UDC.

Scotty Doss, Genuine Mapping & Design, LLC, 64 Washington Street, Jefferson, GA was present to represent this rezone case. Mr. Doss noted that they seek to rezone the property to R-1 for a 39 lot residential subdivision. The homes will be 2500 sq. ft. and in the \$350,000 range. The concept plan shows the streams on the property as well as the 75 ft. stream buffer. Also, the concept plan is subject to change due to the soils, field conditions, wetlands, etc. There is no traffic study at this time. There was discussion between Mr. Doss, the board, and staff regarding the streams on the property and the traffic concerns at the schools.

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.

Harold Mull made a motion to **approve** the rezone from A-2 (Agricultural Rural Farm District) to R-1 (Single Family Detached Residential District) for a residential subdivision with the following conditions:

- 1). The minimum heated floor space shall be 1,800 square feet.
- 2). No vinyl siding shall be used in the development.
- 3). A mandatory homeowners association shall be responsible for any maintenance associated with the open space and any proposed signage and landscaping proposed at the entrance.
- 4). The National Wetlands Inventory Map indicates the presence of wetlands on the south west corner of Map & Parcel 024 017B1. It is important for these wetlands to be identified accurately on a property survey with field run topo. These wetlands need to be shown as protected on the final design. There is also the presence of 100 year floodplain along the south west corner of Map & Parcel 024 017B1.
- 5) The length of the cul-de-sac shown on the Rezoning Plan exceeds the length allowed by the UDC. Article 16 Streets & Sidewalks, Sec. 1616 Dead end streets and Cul-de-sacs, Item (c) states the following..."Maximum length. The maximum length of a cul-de-sac street shall be 600 feet, unless necessitated by topographic or other conditions and approved by the Public Development Director. If these conditions exist, the maximum length shall be 1,500 feet unless a greater length is approved as a special exception by the Board of Adjustment. The length of the cul-de-sac shown on the Rezoning Plan exceeds +/-2,800 feet. The length of the cul-de-sac either needs to be shortened or an application for a special exception needs to be made to the Board of Adjustment for their consideration.

**Note:** No plans in any way are being approved as a part of this rezone request. All design and construction plans will have to be developed according to the Jackson County UDC.

The motion was seconded by Les Knoblock. Harold Mull, Les Knoblock, and Carson Saville **approved** the rezone.

15. RZ-21-0056 – Jerzy Perez Gonzalez, 208 Nays Way, Jefferson, GA; 7.34 acres; rezone from R-1 to A-R. (Map 069/Parcel 009D)

Jamie Dove gave the staff report. The applicant is requesting a rezoning from R-1 (Single Family Detached Residential District) to A-R (Agricultural Residential District). The applicant would like to

conduct limited agricultural uses on the property including but not limited to the keeping of goats, alpacas, llamas, or other similar animals for domestic purposes. The property is served by an easement off Martin Luther King, Jr. Drive. Nays Way is a private road. The property is currently served water by an onsite well. The City of Jefferson indicates the subject property could be served by public water and sanitary sewer if desired but this is not required. Staff recommends approval with the following conditions:

- 1) If the rezone is approved, the applicant will have to abide by the buffer requirements shown in Table 2-2 of the Jackson County UDC. If the property is allowed to be rezoned to A-R, a buffer of no less than 50 feet will have to be established along each property line shared with a residential use.
- 2) The allowance of goats, llamas and alpacas.

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

Jerzy Perez Gonzalez, 208 Nays Way, Jefferson, GA, was present to represent the rezone case. Mr. Gonzalez would like to rezone the property from R-1 (Single Family Detached Residential District) to A-R (Agricultural Residential District) to allow for limited agricultural use, something similar to a farm stead. There was discussion between the board and Mr. Gonzalez, in regards to what animals he would like in addition to goats, llamas and alpacas. In addition to goats, llamas and alpacas, Mr. Gonzalez would like to have chickens, horses, and donkeys. Then, there was discussion between staff and the board regarding what animals would be allowed in the A-R zoning. Jamie Dove noted that the Unified Development Code Table 2-1 states that he can only have horses, cattle (with a special use permit), and crop production in an A-R zoning, but the board can add additional animals.

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.

Les Knoblock made a motion to **approve** the rezone from R-1 (Single Family Detached Residential District) to A-R (Agricultural Residential District) with the following conditions:

- 1) If the rezone is approved, the applicant will have to abide by the buffer requirements shown in Table 2-2 of the Jackson County UDC. If the property is allowed to be rezoned to A-R, a buffer of no less than 50 feet will have to be established along each property line shared with a residential use.
- 2) The allowance of goats, llamas, alpacas.
- 3) The allowance of donkeys, horses, and chickens with no commercial production.

Harold Mull seconded the motion. Les Knoblock, Harold Mull, and Carson Saville **approved** the rezone.

Marty Clark made a motion to adjourn the meeting and was seconded by Les Knoblock. The motion was unanimous. Meeting Adjourned at 7:25 p.m.

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Marty Clark, Chairman

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Date