



BOARD OF ADJUSTMENTS MINUTES

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

April 1, 2021
6:00 P.M.

Board Members Present

Steve Wittry, Vice-Chairman
Shirley Turner
Mark Palmer

Board Member Absent

Joe Holt, Chairman
James Scott

Staff

Jamie Dove, Public Development Manager
Kathy Holloway, Zoning Administrator

Steve Wittry, Vice-Chairman, called the meeting to order at 6:00 p.m.

Shirley Turner made a motion to approve the March 4, 2021 BOA Minutes and was seconded by Mark Palmer. The motion was approved unanimously.

Jamie Dove gave the staff comments. We have no variance cases so far for the May BOA Meeting. The deadline to turn in variance cases is by Monday, April 5th, 2021. If we have variance cases turned in for the May BOA Meeting, we will notify the board. Then, Jamie Dove read the public hearing procedures and noted they are located on the table by the door. Steve Wittry asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing. Also, Mr. Wittry noted there are only 3 members present tonight, thus there needs to be 3 affirmative votes to approve the variance cases.

New Business:

1. VA-21-0050 – George Hyatt, 1469 Pocket Road, Braselton, GA; 1.58 acres; variance for an accessory building over 1,000 sq. ft. in a residential zoning. (Map 117/Parcel 021M2)

Jamie Dove gave staff comments. The applicant proposes to build a metal 50 ft. by 80 ft. (4,000 square foot) detached garage/accessory structure in the R-1, Single Family Detached District. The existing home on the site is 2,652 sq. ft. Also, an existing accessory structure on the property is 1,350 sq. ft. The

existing home and existing accessory structure were built in 2019. The proposed accessory structure must meet the requirements of Section 3-001 and Section 3-002 of the Jackson County Unified Development Code. Accessory structures must be in a side or rear yard. When an accessory structure is proposed to be more than 1,000 sq. ft. in a residential zoning, it must be granted a Special Exception Variance by the Board of Adjustments. Staff recommends denial of this variance case.

George Hyatt, 1469 Pocket Road, Braselton, GA was present to represent this variance case. Mr. Hyatt handed out to the board members a packet of supportive documentation for the applicant's variance requests. The supportive documentation showed the existing accessory building and current home photos that showed how they match in color; architectural elevation drawings and floor plan; previous approved accessory building permit; affidavits from neighbors supporting the variance request; and photos of existing neighbor's homes and accessory buildings. Mr. Hyatt noted that the accessory structure would be a place for him to keep his classic cars. Also, Mr. Hyatt noted there is not a home owners association for the 3 adjacent R-1 zonings on Pocket Road and no commercial business would be run out of this proposed building. There was discussion between staff and the board regarding staff's reason for denial. Staff noted that the existing accessory structure was approved by mistake, as it should have gone before the Board of Adjustments. Also, staff noted that the proposed accessory structure is extremely large and exceeds the sq. ft. of the home. If the metal accessory structure was less than 500 sq. ft., then Mr. Hyatt would not need a variance.

Steve Wittry closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion. There was discussion between the board members regarding this variance. Then, Mark Palmer made a motion to **deny** the variance for an accessory building over 1,000 sq. ft. in a residential zoning at 1469 Pocket Road, Braselton, GA. The motion was seconded by Shirley Turner. The variance was **denied** unanimously.

2. VA-21-0051 – George Hyatt, 1469 Pocket Road, Braselton, GA; 1.58 acres; variance for a metal accessory building over 500 sq. ft. in a residential zoning. (Map 117/Parcel 021M2)

Jamie Dove gave staff comments. The applicant proposes to build a metal 50 ft. by 80 ft. (4,000 square foot) detached garage/accessory structure in the R-1, Single Family Detached District. The existing home on the site is 2,652 sq. ft. Also, an existing accessory structure on the property is 1,350 sq. ft. The existing home and existing accessory structure were built in 2019. The proposed accessory structure must meet the requirements of Section 3-001 and Section 3-002 of the Jackson County Unified Development Code. Accessory structures must be in a side or rear yard. When an accessory structure is proposed to be constructed with metal siding and more than 500 sq. ft., it must be granted a Special Exception Variance by the Board of Adjustments. Staff recommends denial of this variance case.

George Hyatt, 1469 Pocket Road, Braselton, GA was present to represent this variance case. Mr. Hyatt handed out to the board members a packet of supportive documentation for the applicant's variance requests. The supportive documentation showed the existing accessory building and current home photos that showed how they match in color; architectural elevation drawings and floor plan; previous approved accessory building permit; affidavits from neighbors supporting the variance request; and photos of existing neighbor's homes and accessory buildings. Mr. Hyatt noted that the accessory structure would be a place for him to keep his classic cars. Also, Mr. Hyatt noted there is not a home owners association for the 3 adjacent R-1 zonings on Pocket Road and no commercial business would be run out of this proposed building. There was discussion between staff and the board regarding staff's reason for denial. Staff noted that the existing accessory structure was approved by mistake, as it should have gone before the Board of Adjustment. Also, staff noted that the proposed accessory structure is extremely large and exceeds the sq. ft. of the home. If the metal accessory structure was less than 500 sq. ft., then Mr. Hyatt would not need a variance.

Steve Wittry closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion. There was discussion between the board members regarding this variance. Then, Mark Palmer made a motion to **deny** the variance for a metal accessory building over 500 sq. ft. in a residential zoning at 1469 Pocket Road, Braselton, GA. The motion was seconded by Shirley Turner. The variance was **denied** unanimously.

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

Steve Wittry, Vice-Chairman

Date

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