



BOARD OF ADJUSTMENTS MINUTES

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

May 6, 2021
6:00 P.M.

Board Members Present

Joe Holt, Chairman
Steve Wittry, Vice-Chairman
James Scott
Mark Palmer

Board Member Absent

Shirley Turner

Staff

Jamie Dove, Public Development Manager
Kathy Holloway, Zoning Administrator

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

Steve Wittry made a motion to approve the April 1, 2021 BOA Minutes and was seconded by Jim Scott. The motion was approved unanimously.

Jamie Dove gave the staff comments. We will have a June 3, 2021 BOA Meeting. Then, Jamie Dove read the public hearing procedures and noted they are located on the table by the door. Joe Holt asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing.

New Business:

1. VA-21-0045 – Ken & Julia Butler, 792 Traditions Way, Jefferson, GA; 0.91 acre; reduce the County stream buffer from 50 ft. to 18 ft. in order to construct an accessory structure. (Map 105D/Parcel 023K)

Jamie Dove gave staff comments. This property was final platted as Lots K-23 & K-24 of Phase I of the Traditions of Braselton Golf Course Community. The applicant request to reduce the County stream buffer from 50 ft. to 18 ft. Also, the State imposed minimum 25 foot buffer remains. The Jackson County Unified Development Code requires a 50 foot stream buffer outside of, and in addition to, the 25

foot State imposed stream buffer required for all State waters. If approved, the total width of the stream buffer will be reduced from 75 ft. to 43 ft. in order to add a pavilion adjacent to their existing swimming pool/patio area. Staff recommends approval of this variance case.

Julia Butler, 792 Traditions Way, Jefferson, GA was present to represent this variance case. Mrs. Butler noted that they would like to build a covered outdoor kitchen next to their swimming pool and patio area. There was discussion between the board, applicant, and staff. Also, there will be an additional 6 ft. concrete area around all sides, extending outside of the pavilion frame. Thus, the County stream buffer would need to be reduced from 50 ft. to 12 ft. to construct the pavilion and the additional 6 ft. concrete area around the pavilion.

There was no opposition present.

Joe Holt 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 case.

Steve Wittry made a motion to **deny** the variance for a reduction in the County stream buffer from 50 ft. to 12 ft. in order to construct an accessory structure. The motion was seconded by Joe Holt. The variance case was denied by Steve Wittry, Joe Holt, and James Scott. The variance case was approved by Mark Palmer. Thus, the variance case was **denied**.

2. VA-21-0058 – Ken & Julia Butler, 792 Traditions Way, Jefferson, GA; 0.91 acre; reduce the rear setback from 20 ft. to 11 ft. in order to construct an accessory structure. (Map 105D/Parcel 023K)

Jamie Dove gave staff comments. This property was final platted as Lots K-23 & K-24 of Phase I of the Traditions of Braselton Golf Course Community. On the final plat, it is noted that the rear setbacks are 20 ft. The applicant request to reduce the rear setback from 20 ft. to 11 ft. to add a pavilion adjacent to their existing swimming pool and patio area. Staff recommends approval of this variance case.

Julia Butler, 792 Traditions Way, Jefferson, GA was present to represent this variance case. Mrs. Butler noted that they would like to build a covered outdoor kitchen next to their swimming pool and patio area. There was discussion between the board, applicant, and staff. Also, there will be an additional 6 ft. concrete area around all sides, extending outside of the pavilion frame. Thus, the County stream buffer would need to be reduced from 50 ft. to 12 ft., instead of 18 ft., to construct the pavilion and the additional 6 ft. concrete area around the pavilion. The reduction of the rear setback from 20 ft. to 11 ft. would remain the same.

There was no opposition present.

Joe Holt 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 case.

Steve Wittry made a motion to **deny** the variance case for a reduction in the rear setback from 20 ft. to 11 ft. in order to construct an accessory structure. The motion was seconded by James Scott. The variance case was denied by Steve Wittry, James Scott, and Joe Holt. The variance case was approved by Mark Palmer. Thus, the variance case was **denied**.

3. VA-21-0057 – Seefried Industrial Properties, Inc., Valentine Industrial Pkwy. Ext., Pendergrass, GA; 80.72 acres; reduce the County stream buffer from 50 ft. to 14 ft. in order to construct a distribution facility. (Map 091/Parcel 007C1)

Jamie Dove gave the staff comments. The applicant request to reduce the County stream buffer from 50 ft. to 14 ft. and the State imposed minimum 25-foot buffer remains to allow for construction of a proposed 829,000 sq. ft. distribution facility. The property was zoned G-I back in 2015. The Jackson County Unified Development Code requires a 50 foot stream buffer outside of, and in addition to, the 25 foot State imposed stream buffer required for all State waters. If the variance request is approved, the total width of the stream buffer will be reduce from 75 ft. to 39 ft. The amount of buffer area proposed to be impacted is 0.091 acres or 3,964 square feet. Staff recommends approval of this variance case.

Greg Herren, Seefried Industrial Properties, 3333 Riverwood Parkway, Ste. 200, Atlanta, GA 30339 was present to represent this variance case. The subject property is located at the northern termination of Valentine Industrial Parkway, which is located behind the Walmart Distribution Center. They plan to reduce the proposed 829,000 sq. ft. distribution facility to 800,000 sq. ft. The site consists of multiple intermittent and perennial streams with combined state and county buffers totaling 11.14 acres. The proposed development requires the encroachment into the buffer which will include a retaining wall and grading of a maximum of 36 feet in the County stream buffer for a total of only 0.092 acres of impact. The applicant states that to mitigate impacts to the stream buffer, they will be installing retaining walls along with 3 rows of silt fence along the construction area. The property is not located in Jackson County's MS4 urbanized area, but the applicant also states that they are proposing to voluntarily meet the water quality and stream channel protection requirements of the MS4 areas. Also, there was discussion between the applicant, engineer (Wesley Reed), board, and staff in regards to the variance case. Also, Jim Shaw of the Chamber of Commerce was present to speak in favor of this variance case. Mr. Shaw noted there is an abundance of residential development coming to Jackson County, thus a need for industrial and commercial development to keep our tax base balanced.

There was no opposition present.

Joe Holt 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 case.

Mark Palmer made a motion to **approve** the variance to reduce the County stream buffer from 50 ft. to 14 ft. in order to construct a distribution facility. The motion was seconded by James Scott. The variance case was approved by Mark Palmer, James Scott, and Joe Holt. The variance case was denied by Steve Wittry. Thus, the variance case was **approved**.

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

Joe Holt, Chairman

Date