



BOARD OF ADJUSTMENTS MINUTES

Jackson County Courthouse
Jury Assembly Room
5000 Jackson Parkway
Jefferson, GA 30549

March 3, 2022
6:00 P.M.

Board Members Present

Shirley Turner
Les Knoblock
Mark Palmer

Board Members Absent

Joe Holt, Chairman

Staff

Barry Edgar, Planner
Kathy Holloway, Zoning Coordinator

Les Knoblock called the meeting to order at 6:00 p.m.

Shirley Turner nominated Joe Holt as Chairman of the Board of Adjustment for 2022 and was seconded by Mark Palmer. The motion was approved unanimously. Shirley Turner nominated Les Knoblock as Vice-Chairman of the Board of Adjustment for 2022 and was seconded by Mark Palmer. The motion was approved unanimously.

Mark Palmer made a motion to approve the December 2, 2021 Board of Adjustment Minutes and was seconded by Shirley Turner. The motion was approved unanimously.

Barry Edgar noted that we will have an April 7, 2022 BOA Meeting. Les Knoblock asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing.

New Business:

1. VA-22-0081 – Alton Grose, 281 Duck Rd., Braselton, GA; 1.71 acres; reduce the right side setback from 40 ft. to 16.20 ft. for a 900 sq. ft. garage to be added to house.
(Map 118/Parcel 069)

Barry Edgar gave the staff report. The applicant/owner request to reduce the right side setback from 40 ft. to 16.20 ft. to add a 900 square foot garage to the right side of the existing house. To use the existing driveway, the garage would need to be on the right side of the home. Also, there is a lake at the rear of the property. By placing the garage to the right of the house, it would keep construction as far away as possible from the lake. Staff recommends approval of this variance case.

Alton Grose, 281 Duck Road, Braselton, GA was present to represent this case. Mr. Grose noted that he would like to change his request from the garage being attached to the house to the garage being a stand-alone garage 5 ft. from the house. Also, Mr. Grose plans to reduce the garage size from 30'x30' to 25'x30'. Mr. Grose noted that in the future, he may add an office in the space over the garage, but no business will be run out of the garage. Barry Edgar noted to the board that the Unified Development Code states that accessory structures need to be at least 10 ft. from the principle dwelling. Then, there was discussion among staff, the board, and Mr. Grose about connecting the stand-alone garage to the house by a breezeway, thus the garage could remain 5 ft. from the house.

There was no opposition present.

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

Mark Palmer made a motion to **approve** the reduction of the right side setback from 40 ft. to 16.2 ft. in order to build the garage 5 ft. from the house, and the garage must be attached to the house by a breezeway. The motion was seconded by Shirley Turner. The variance was **approved with the condition** unanimously.

2. VA-22-0084 – Ryan Stephens, 1355 Staplers Bridge Rd., Nicholson, GA; 3.62 acres; reduce county stream buffer from 50 ft. to 10 ft. in order to build house and an accessory building. (Map 027/Parcel 015F)

Barry Edgar gave the staff report. The applicant/owner request to reduce the Jackson County imposed 50 ft. stream buffer to 10 ft. in order to build a house and accessory building. As depicted on the "Preliminary Site Plan" the accessory building does not appear to require as much of a buffer variance as the house. If the accessory building is shifted towards the front of the lot, it appears that it will not require a variance. The applicant/owner states that the State of Georgia 25 foot buffer will remain undisturbed. Staff recommends approval of this variance case.

Ryan and Merial Stephens, 105 Trotters Trace, Jefferson, GA was present to represent this variance case. The Stephen's bought the property about a year ago and would like to build a house and accessory structure on the property. There are two streams that run through the middle and back portion of the property limiting the buildable locations on the property. Mr. Stephens noted that he and his wife have spent hours trying to figure out where to put the house. They had a perk test done on the back of the property. Also, a lot of trees would need to come down if they built in the back of the lot, plus a bridge would need to be put over the stream with protection measures to the stream. Then, there was discussion among the applicants, the board, and staff in regards to the placement of the house and accessory building on the front of the property where it would have less of an impact on the streams. Also, if the accessory building is shifted towards the front of the lot, the accessory building will not need a variance.

There was no opposition present.

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

Shirley Turner made a motion to **approve** the reduction of the Jackson County stream buffer from 50 ft. to 10 ft. in order to build the house, and shift the accessory building towards the front of the lot so that a variance is not required for the accessory building. The motion was seconded by Mark Palmer. The variance was **approved** unanimously.

3. VA-22-0085 – Stell, Smith, & Mattison, P.C. (Stanton Porter), 1681 Pettijohn Rd., Pendergrass, GA; 116.60 acres; encroachment of the required 120 ft. buffer along the northern property line. (Map 090/Parcel 006)

Barry Edgar gave the staff report. The applicant/owner request to reduce the northern 120 ft. setback to 50 ft. with the ability to grade and replant to the property line. The applicant/owner states that along the northern setback any buffer between 0 ft. and 50 ft. that is disturbed will be replanted with a landscape buffer. The property has frontage on Pettijohn Road and Wayne Poultry Road. On March 15, 2021, the Board of Commissioners voted to amend the Character Area Map from “Rural” to “Urban” and Future Land Use Map from “Residential” to “Industrial” (MA-21-0040). On September 20, 2021, the Board of Commissioners voted to rezone the property from A-2 (Agricultural Rural Farm District) to L-I (Light Industrial District) (RZ-21-0071). Based on the plan provided, the requested variance appears to be the minimum necessary; however, if the buildings were to be made slightly smaller and the buildings finished floor elevations were to be lowered, the buffer encroachments could potentially be eliminated. Staff recommends denial of this variance case.

Stanton Porter, 98 North Broad Street, Winder, GA was present to represent this variance case. After reviewing the staff report, Mr. Porter emailed Jamie Dove to table this request until the April 7th, 2022 Board of Adjustment Meeting. Mr. Porter would like to discuss the issues with staff’s concerns, as well as talk further with his client. There was discussion between Mr. Porter, the board, and staff in regards to grading up to the property line; the geo-tech studies showing there is solid rock underneath this hundred acre tract; and possibly reducing the size of the buildings and the buildings finished floor elevations lowered.

There was no opposition present.

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

Shirley Turner made a motion to **table** the variance request to the April 7, 2022 BOA Meeting for the encroachment of the required 120 ft. buffer along the northern property line. The motion was seconded by Mark Palmer. The variance case was **tabled** unanimously.

4. VA-22-0086 – Stell, Smith, & Mattison, P.C. (Stanton Porter), 1681 Pettijohn Rd., Pendergrass, GA; 116.60 acres; encroachment of the required 120 ft. buffer along the southeastern property line. (Map 090/Parcel 006)

Barry Edgar gave the staff report. The applicant/owner states that they would like the ability to encroach into the required 120 foot buffer along the southeast property line to grade and replant landscape up to 25 feet from the property line, and they would like to install a driveway 45 feet from the property line. Also, the applicant/owner states they want to replant landscaping to provide a better buffer between their property and the adjacent residential house. The property has frontage on Pettijohn Road and Wayne Poultry Road. On March 15, 2021, the Board of Commissioners voted to amend the Character Area Map from “Rural” to “Urban” and Future Land Use Map from “Residential” to “Industrial” (MA-21-0040). On September 20, 2021, the Board of Commissioners voted to rezone the property from A-2 (Agricultural Rural Farm District) to L-I (Light Industrial District) (RZ-21-0071). Based on the plan provided, the requested variance appears to be the minimum necessary; however, if the buildings were to be made

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There was no opposition present.

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

Shirley Turner made a motion to **table** the variance request to the April 7th, 2022 BOA Meeting for the encroachment of the required 120 ft. buffer along the southeastern property line. The motion was seconded by Mark Palmer. The variance case was **tabled** unanimously.

Mark Palmer made a motion to adjourn the meeting and was seconded by Shirley Turner. The motion was unanimous. The meeting adjourned at 6:30 p.m.

Joe Holt, Chairman

Date