



BOARD OF ADJUSTMENTS MINUTES

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

May 5, 2022
6:00 P.M.

Board Members Present

Les Knoblock, Vice-Chairman
Shirley Turner
Brodriche Jackson

Board Members Absent

Joe Holt, Chairman

Staff

Jamie Dove, Public Development Manager
Kathy Holloway, Zoning Coordinator

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

Shirley Turner made a motion to approve the April 7, 2022 Board of Adjustment Minutes and was seconded by Brodriche Jackson. The motion was approved unanimously.

Jamie Dove noted that there may not be a BOA Meeting next month. Then, Ms. Dove read the BOA hearing procedures. Also, Ms. Dove noted there are only 3 members present tonight, thus there needs to be 3 affirmative votes to approve each variance case. Mr. Knoblock asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing.

New Business:

1. VA-22-0090 – Mark & Catherine Borah, 36 Sunrise Drive, Hoschton, GA; 3.44 acres; appeal of an administrative decision to deny second driveway.
(Map 107A/Parcel 018)

Jamie Dove gave the staff report. This variance case is an appeal to an administrative decision to deny a second driveway. Mark Borah applied for a driveway permit which is sent directly to

Jackson County Road Department for inspection. The assistant road superintendent inspected the property and deemed the permit be denied due to it not meeting section 633 of the development code. Section 633 states there is only to be one driveway per lot unless the driveway is to be circular and connects with points 100 ft apart. This driveway did not meet that criteria. The letter of intent from Mr. Borah states there are numerous other homes in the neighborhood with 2 driveways. The staff has done research on this to determine the dates these homes were pulled for building permits which were all prior to 2017 when the rule came into effect. The concept plan of the driveway shows that the 100 ft separation is not the issue, but the driveways will not connect to be circular. The staff does not give a recommendation due to already making thoughts clear to the applicant at the time of call.

Mark Borah, 36 Sunrise Drive, Hoschton, GA is present to represent this case. He stated that he wants the second driveway to lead from the street to his basement. He said the home will conform to others within the neighborhood that already have multiple driveways. Les Knoblock asked what is currently being built behind his house. Mr. Borah responded that there is a swimming pool being put in. Mr. Knoblock then made the comment that by looking at the topographic map, there does not seem to be another place to put a second driveway. Shirley Turner asked Mr. Borah what year the house was built. He responded that it was in 2002. The house was one of the first built in the neighborhood.

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 stated that she does not agree with approving this variance case. The code was changed in 2017, and by going against it, it will start a precedent.

Brodriche Jackson made a motion to **approve** the second driveway with the condition that the approval only pertains to this specific variance case. Any others in the future will have to come through for a separate variance request. The motion was seconded by Les Knoblock. The variance case was **approved** unanimously.

2. VA-22-0091 – George and Holly Hyatt, 1469 Pocket Rd., Braselton, GA; 1.58 acres; variance for an accessory building with metal siding over 500 sq. ft. in a residential zoning. (Map 117/Parcel 021M2)
3. VA-22-0092 – George and Holly Hyatt, 1469 Pocket Rd., Braselton, GA; 1.58 acres; variance for an accessory building greater than 1,000 sq. ft. in a residential zoning. (Map 117/Parcel 021M2)

Jamie Dove gave the staff report. The property resides at 1469 Pocket Rd., Braselton, GA. There are 2 variance cases that go along with it. The first one being for an accessory building with metal siding over 500 sq. ft. in a residential zoning. The second case is for an accessory building greater than 1,000 sq. ft. in a residential zoning. The property is zoned R-1. Mr. Hyatt has previously been denied and has waited 1 year to come back before the board with the same request. He wants the building for the purpose of storing classic cars. The building will be constructed to match the existing home. Mr. Hyatt has also included affidavits from all of his neighbors stating that they do not have a problem with this structure. The planning staff has

recommended denial. However, there is a passionate set of neighbors there to support, and Mr. Hyatt does have a well-manicured lawn compared to other code enforcement cases in the area. The property is also zoned R-1, but is not in traditional common development. It is surrounded by A-2 and MH zonings which are able to build these types of buildings.

Drake Corbin, 167 Lee St., Jefferson, GA, was present to represent this case in place of Stanton Porter. He made the point that the building is for the storage of classic cars. It will not be used to work out of or cause loud noise. There is already an existing storage building on the property, and Mr. Hyatt would like for the proposed building to be metal. The structure is approximately 4,000 sq. ft. The property slopes up significantly, therefore the building should not be visible from the road. The property has more of an A-2 feel. It is not in a subdivision, and it does not have multiple other homes clustered nearby. Brodrich Jackson asked if there would have to be a new driveway built, and Mr. Corbin responded with no.

George Hyatt, 1469 Pocket Rd., Braselton, GA was present to represent this case. He wants to appeal to the board. He made it clear that this building is strictly to store his cars. It will maintain the same look, feel, and colors as the other buildings on his property. He has another building on the property that was approved previously with no problem at all. He wants the metal building to be able to protect his cars from the elements. He stated there are 3 properties in a row that are zoned R-1 and all of the surrounding properties are A-2, M-H, A-R zonings. He also brought the neighbors directly to the left and right of his property to signify that his neighbors are not against the building.

Roger Carlile, 1477 Pocket Rd., Braselton, GA, was present in favor of this case. He stated he will not be able to see the building from his house, and it will not be visible from the road. He does not have an issue with the construction of this building.

David Oldeen, 1441 Pocket Rd., Braselton, GA, was present in favor of this case. He will be the neighbor to see the building from his property, but he is not against the construction of it.

Les Knoblock asked how tall the fence is in the back of the property. Mr. Corbin responded that it is a 6 ft. fence. Ms. Dove also added that a 6 ft. fence is all that is allowed in R-1 zonings. Brodrich Jackson asked if the building will match the house, and Mr. Hyatt responded that it will match the house along with all the other buildings already existing on the property. Mr. Corbin wanted to note that Mr. Hyatt takes care of his property, he put a lot of effort into the planning of this building, and he has a good relationship with his neighbors. The building will not harm anyone or diminish any property values.

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 accessory building with metal siding over 500 sq. ft. and greater than 1,000 sq. ft. in a residential zoning. The motion was seconded by Brodrich Jackson. The variance case was **approved** unanimously.

4. VA-22-0094 – Genuine Mapping & Design (Ben Drerup), 491 Wilhite Rd., Jefferson, GA; 1.50 acres; reduce the left side setback from 40 ft. to 20 ft. for addition to house. (Map 051/Parcel 084B)

Jamie Dove gave the staff report. This property resides at 491 Wilhite Rd., Jefferson, GA and is 1.50 acres. The applicant is requesting to reduce the west side setback from 40 ft. to 20 ft. to allow for an addition to the existing home. The west side of the home is next to pastureland. There is currently not a home there but could be one in the future. This property is zoned A-2 while the properties around it are A-1. Planning staff recommends approval of this variance case with 1 condition that this variance request will only be applicable for this noted addition. Any future encroachments would need additional variance approvals.

Donna Sikes, 491 Wilhite Rd., Jefferson, GA was present to represent this case. She currently resides in the home with plans to purchase it from her sister and brother-in law, Richard and Gayle Berryman. The surrounding properties are owned by herself, her sister, her daughter, and her niece. The property is in a trust from her father, and her mother currently lives on it. It is a family farm with about 80 acres. Parcels were deeded to multiple family members. Ms. Sikes has recently moved back to the farm, and wishes to enlarge the master suite and add a great room to the back part of the house. Les Knoblock asked if the neighbors to the west have any issue with the addition. Ms. Sikes stated that no, her sister who owns the neighboring property does not have an issue. Ms. Dove stated that in this case a property line switch cannot take place because of the different zonings. She also noted that the house already encroaches on the setback, but she does not know what the setbacks were at the time of building the house or if there were any setbacks at all.

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** reducing the left side setback from 40 ft. to 20 ft. to allow for an addition to the home with the condition that this variance request will only be applicable for this noted addition. Any future encroachments would need additional variance requests. The motion was seconded by Brodrich Jackson. The variance case was **approved** unanimously.

Brodrich Jackson made a motion to adjourn the meeting and was seconded by Shirley Turner. The motion was unanimous. The meeting adjourned at 6:35 p.m.

Joe Holt, Chairman

Date