



# JACKSON COUNTY PLANNING COMMISSION



## Minutes

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

July 28, 2022  
6:00 P.M.

### Members Present

Harold Mull, Vice-Chairman  
Les Knoblock  
Larry Turner  
Chris Meadows

### Member Absent

Steve Wittry, Chairman

### Staff Present

Jamie Dove – Public Development Manager  
Kathy Holloway – Zoning Coordinator

Harold Mull, Vice-Chairman, called the meeting to order at 6:00 pm.

Larry Turner opened in prayer. Then, Harold Mull led everyone in the Pledge of Allegiance. Les Knoblock made a motion to approve the June 23, 2022 Planning Commission Minutes and was seconded by Chris Meadows. The motion was unanimous.

Jamie Dove noted there will be an August 25, 2022 Planning Commission Meeting. Then, Jamie Dove read the public hearing procedures and noted they are located on the table by the door.

### New Business -

1. RZ-22-0125 – MainStreet Building Group, Inc. (Chuck Rigdon), White Hill School Road, Commerce, GA; 13.78 acres; rezone from A-2 (Agricultural Rural Farm District) to A-R (Agricultural Residential District) to divide property into 6 tracts. (Map 023/Parcel 002F1)

Jamie Dove gave the staff report. The applicant requests a rezoning from A-2 (Agricultural Rural Farm District) to A-R (Agricultural Residential District). If allowed to be rezoned, the applicant wishes to subdivide the property into 6 tracts. The subject property has road frontage on White Hill School Road. The Jackson County Road Department must give approval of any new driveway locations or required work related to a new driveway. On June 7, 2022, the City of Commerce Water Distribution Superintendent states that water is available to the property on White Hill School Road, but at this time the City of Commerce is not offering any taps. Also, sanitary sewer is not available to the property. Staff recommends approval of this rezone case with one condition: 1) All driveways must be approved by the

Jackson County Road Department. Due to amount of proposed lots (that would not be fronting on an internal roadway), there needs to be a total of 3 shared driveways instead of 6 separate driveways. Note: No plans or property surveys in any way are being approved as a part of this rezone request. All requirements of the Jackson County UDC must be adhered to.

Barry Lord, 437 Sam Brown Blvd., Commerce, GA was present to represent this rezone case. Mr. Lord stated that Mr. Rigdon is requesting to rezone 13.78 acres from A-2 to A-R in order to divide the property into 6 lots ranging from 1.68 to 3.0 acre lots. The lots will have stick built homes. Also, Mr. Lord noted that he has spoken to the Mayor and Water Department in regards to the restrictions on issuing water meters. They are lessening the restrictions on issuing water meters, if you have water and septic system. The main problem with availability is with sewer, as they are updating their sewer plant. There was a soil test done on the property and it passed for septic systems on this property.

Chuck Rigdon, 207 Daves Farm Rd., Jefferson, GA was present to represent this rezone case. Mr. Rigdon noted that the stick built homes will be between 1800 sq. ft. and 2500 sq. ft.

There was no one present at the meeting in opposition to this rezone.

Harold Mull 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 A-2 (Agricultural Rural Farm District) to A-R (Agricultural Residential District) in order to divide the property into 6 tracts **with 1 condition**: 1) All driveways must be approved by the Jackson County Road Department. Due to amount of proposed lots (that would not be fronting on an internal roadway), there needs to be a total of 3 shared driveways instead of 6 separate driveways. Note: No plans or property surveys in any way are being approved as a part of this rezone request. All requirements of the Jackson County UDC must be adhered to. The motion was seconded by Larry Turner. The rezone case was **approved with 1 condition** by Les Knoblock, Larry Turner, and Chris Meadows.

2. MA-22-0107 – Premier Construction Systems, Inc. (Scott Philips), Hwy. 129/Old Gainesville Hwy., Talmo, GA; 17.15 acres; change the Future Land Use Map from “Residential” to “Commercial” for 2 climate controlled self-storage facilities. (Map 101/Parcel 007 3)

Jamie Dove gave the staff report. The applicant is requesting a Future Land Use Map Amendment on a 17.15 acre tract from “Residential” to “Commercial”. The property has road frontage on U.S. Hwy. 129 and Old Gainesville Hwy. The property is currently A-2 (Agricultural Rural Farm District). If the Future Land Use Map Amendment is approved, the applicant would like to rezone to NRC (Neighborhood Retail Commercial District) or CRC (Community Retail Commercial District) for 2 climate controlled self-storage facilities. The Jackson County Water and Sewer Authority states in a letter dated April 22, 2022 that public water is available along Old Gainesville Hwy., but sanitary sewer is not available for the property. There were several opposition letters that came in yesterday and are in your packets. Staff recommends denial based on our Comprehensive Plan. Note: No plans or property surveys in any way are being approved as a part of this rezone request. All requirements of the Jackson County UDC must be adhered to.

Trish Footit and Matt Helfer (Premier Construction Systems, Inc.), 847 Hwy. 124, Ste. A, Braselton, GA were present to represent the owner, Poonam Patel, with this map amendment case. They request a Future Land Use Map Amendment change from “Residential” to “Commercial” on a 17.149 acre with road frontage on U.S. Hwy. 129 and Old Gainesville Hwy., Talmo, GA. If the map amendment is

approved, they would like to rezone the property from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial District) for 2 climate controlled self-storage facilities. Five acres out of the 17.149 acres will be used for the mini-storage facilities. No plans right now as to what the remainder of the property will be used for. There is a mini-storage facility, Jackson Storage, located ¼ of a mile from the proposed property that is not a climate controlled facility. Mr. Helfer didn't know if Jackson Storage was completely full or not. There has been no study to show that another storage facility is warranted. Furthermore, Mr. Helfer believes there is a need for climate controlled storage facilities in this fast growing area of Jackson County.

Rico Mojito of Sunshine Brokers was present to represent Santa Isabel Investments, LLC (Map 101/Parcel 029), who owns a commercial property several lots from the proposed property. Mr. Mojito is in opposition to the proposed map amendment because it could negatively impact the owner's future plans for a self-storage facility on Map 101/Parcel 029 which is currently zoned HRC (Highway Retail Commercial District). There was no rebuttal by the applicant.

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

Larry Turner made a motion to **deny** the Future Land Use Map Amendment change from "Residential" to "Commercial" for 2 climate controlled self-storage facilities. The motion was seconded by Chris Meadows. The map amendment case was **denied** by Larry Turner, Chris Meadows, and Les Knoblock.

3. MA-22-0108 - Valiant Services (David Elder), New Kings Bridge Rd., Athens, GA; 112.24 acres; change the Character Area Map from "Suburban" to "Agricultural" for a 8+ acre lot subdivision. (Map 028/parcel 001)

Jamie Dove gave the staff report. The applicant is requesting a Character Area Map Amendment from "Suburban" to "Agricultural" for the 112.24 acres located on New Kings Bridge Rd., Athens, GA. If the map amendment is approved, the applicant will request to rezone the property from A-3 (Agricultural Fringe District) to A-2 (Agricultural Rural Farm District). The property has road frontage on Kings Ridge Drive, Drew Lane, and New Kings Bridge Road. All proposed entrances must be approved by the Jackson County Road Department. There are flood plain areas on the property and one of the property lines is located at the Oconee River. All of the proposed 13 lots will be served by well and septic tank. Staff recommends approval. Note: No plans or property surveys in any way are being approved as a part of this rezone request. All requirements of the Jackson County UDC must be adhered to.

David Elder of Valiant Services, P. O. Box 50, Statham, GA was present to represent this map amendment case. Mr. Collins, the owner of the proposed property, developed New Kings Bridge Estates Subdivision back in 1999 that is located next to the proposed subdivision. There will be 2 internal roads (Drew Lane and Kings Ridge Drive) from New Kings Bridge Estates Subdivision connecting to the proposed subdivision. There will be no entrances to the proposed subdivision from New Kings Bridge Road. South Jackson Elementary School is located across the road and the bridge crossing the river on the curve is located on the other end of the property. The soils should be good for the septic systems due to the house sites will be above the flood plain areas. Also, there is a small pond on the proposed property that will be a good distance from the proposed house sites.

There was no one present at the meeting in opposition to this map amendment.

Harold Mull 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 Amendment change from “Suburban” to “Agricultural” for a 8+ acre lot subdivision. The motion was seconded by Larry Turner. The map amendment case was **approved** by Les Knoblock, Larry Turner, and Chris Meadows.

4. MA-22-0109 – Valiant Services (David Elder), Corner of Hwy. 129/Tyler Way, Jefferson, GA; 6.427 acres; change the Future Land Use Map from “Residential” to “Commercial” for development of a commercial center. (Map 055/Parcel 002F1)

Jamie Dove gave the staff report. The applicant is requesting a Future Land Use Map Amendment change from “Residential” to “Commercial” on a 6.427 acre tract fronting on Hwy. 129 and Tyler Way, Jefferson, GA. If the requested Future Land Use Map Amendment is approved, the applicant will request a rezone to NRC (Neighborhood Retail Commercial District) or CRC (Community Retail Commercial District). In a letter dated July 15, 2022, the Jackson County Water and Sewer Authority Manager states that public water is available adjacent to the parcel on Hwy. 129, but sanitary sewer is not available for the property. Also, the developer will correct ongoing issues with the detention pond facility that serves the residential neighborhood. The detention pond is located at the end of Tyra Lane. Staff recommends denial because the surrounding properties are all designated on the Future Land Use Map as “Residential” and therefore this request is not consistent with the Comprehensive Plan. Note: No plans or property surveys in any way are being approved as a part of this rezone request. All requirements of the Jackson County UDC must be adhered to.

David Elder of Valiant Services, P. O. Box 50, Statham, GA was present to represent this map amendment case. Mr. Elder is representing Brand Mosaic Jackson, LLC to request a commercial development that will be consistent with commercial businesses along Hwy. 129. They plan to build a 20,000 sq. ft. commercial building along Hwy. 129. There will be no retail business with high traffic. Some interest for this property has been for a small retail warehouse for a contractor or indoor arena for baseball/softball training facility. There will be a decel lane coming off of Hwy. 129 that will meet Georgia Department Of Transportation requirements. Also, there will be 50 ft. landscape buffer between the residential subdivision and the commercial building, as well as a septic drain field. The current detention pond for North Pointe Subdivision is out of compliance. They plan to bring this detention pond into compliance with the county requirements that will serve North Pointe Subdivision and the proposed commercial development, which will benefit the homeowners of North Point Subdivision financially. There was some discussion between the board and Mr. Elder. Les Knoblock had concerns regarding the dangerous access from Hwy. 129 to Tyler Way. Harold Mull wanted to confirm the location of the detention pond, which is located in the cul-de-sac of Tyra Lane.

There were some homeowners within North Pointe Subdivision and homeowners of property next to the subdivision that were present in opposition to this map amendment case. Those present in opposition to the map amendment case was Rich Mudry, Yoldie Charles, Sam Jordan, and Jill Southerland. Some of their concerns were unwanted traffic for neighborhood; safety concerns for children; decrease property value; turning into subdivision is dangerous without the commercial traffic; understanding of homeowners that the proposed property would be for additional homes; noise from commercial trucks early in the morning as well as noise from indoor baseball/softball facility late at night; the detention pond is not the responsibility of North Pointe Subdivision; want their small rural community to remain peaceful without commercial development next to them; property owner next to subdivision concerned on locations of property lines for proposed property. There was some discussion between the board and opposition speaking at the meeting.

David Elder gave a rebuttal to the opposition present at the meeting. Mr. Elder stated that this property is a logical place for commercial development on Hwy. 129. Also, he noted there will be an increase in traffic, but the majority of traffic will not be going through the subdivision. There will not be a

restaurant, retail store, or doctor's office in the proposed building that would generate traffic. Also, there is water draining from the subdivision into the detention pond. There is a 50 ft. landscape buffer required by the Unified Development Code between the subdivision and the proposed property. Also, the proposed building will be in the open area close to Hwy. 129 which will help reduce the noise to the houses in the subdivision. Ms. Dove noted that the 50 ft. landscape buffer could be reduced to a 25 ft. structural buffer requiring a fence, berm, etc. Also, the Board of Commissioners could put conditions on this commercial development during the rezone process, which they would have to abide by.

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

Larry Turner made a motion to **deny** the Future Land Use Map Amendment change from "Residential" to "Commercial" for development of a commercial center. The motion was seconded by Chris Meadows. The map amendment case was **denied** by Larry Turner, Chris Meadows, and Les Knoblock.

5. MA-22-0110 – Valiant Services (David Elder), Tyler Way/Tyra Lane, Jefferson, GA; 0.236 acre; change the Future Land Use Map from "Residential" to "Commercial" for development of a commercial center. (Map 055/Parcel 002F)

Jamie Dove gave the staff report. The applicant is requesting a Future Land Use Map Amendment change from "Residential" to "Commercial" on a 0.236 acre tract fronting on Tyler Way and Tyra Lane, Jefferson, GA. If the requested Future Land Use Map Amendment is approved, the applicant will request a rezone to NRC (Neighborhood Retail Commercial District) or CRC (Community Retail Commercial District). In a letter dated July 15, 2022, the Jackson County Water and Sewer Authority Manager states that public water is available adjacent to the parcel on Hwy. 129, but sanitary sewer is not available for the property. Also, the developer will correct ongoing issues with the detention pond facility that serves the residential neighborhood. The detention pond is located at the end of Tyra Lane. Staff recommends denial because the surrounding properties are all designated on the Future Land Use Map as "Residential" and therefore this request is not consistent with the Comprehensive Plan. Note: No plans or property surveys in any way are being approved as a part of this rezone request. All requirements of the Jackson County UDC must be adhered to.

David Elder of Valiant Services, P. O. Box 50, Statham, GA was present to represent this map amendment case. Mr. Elder is representing Brand Mosaic Jackson, LLC to request a commercial development that will be consistent with commercial businesses along Hwy. 129. They plan to build a 20,000 sq. ft. commercial building along Hwy. 129. There will be no retail business with high traffic. Some interest for this property has been for a small retail warehouse for a contractor or indoor arena for baseball/softball training facility. There will be a decel lane coming off of Hwy. 129 that will meet Georgia Department Of Transportation requirements. Also, there will be 50 ft. landscape buffer between the residential subdivision and the commercial building, as well as a septic drain field. The current detention pond for North Pointe Subdivision is out of compliance. They plan to bring this detention pond into compliance with the county requirements that will serve North Pointe Subdivision and the proposed commercial development, which will benefit the homeowners of North Pointe Subdivision financially. There was some discussion between the board and Mr. Elder. Les Knoblock had concerns regarding the dangerous access from Hwy. 129 to Tyler Way. Harold Mull wanted to confirm the location of the detention pond, which is located in the cul-de-sac of Tyra Lane.

There were some homeowners within North Pointe Subdivision and homeowners of property next to the subdivision that were present in opposition to this map amendment case. Those present in opposition to the map amendment case was Rich Mudry, Yoldie Charles, Sam Jordan, and Jill Southerland. Some of their concerns were unwanted traffic for neighborhood; safety concerns for children; decrease property



value; turning into subdivision is dangerous without the commercial traffic; understanding of homeowners that the proposed property would be for additional homes; noise from commercial trucks early in the morning as well as noise from indoor baseball/softball facility late at night; the detention pond is not the responsibility of North Pointe Subdivision; want their small rural community to remain peaceful without commercial development next to them; property owner next to subdivision concerned on locations of property lines for proposed property. There was some discussion between the board and opposition speaking at the meeting.

David Elder gave a rebuttal to the opposition present at the meeting. Mr. Elder noted that this property is a logical place for commercial development on Hwy. 129. Also, he noted there will be an increase in traffic, but the majority of traffic will not be going through the subdivision. There will not be a restaurant, retail store, or doctor's office in the proposed building that would generate traffic. Also, there is water draining from the subdivision into the detention pond. There is a 50 ft. landscape buffer required by the Unified Development Code between the subdivision and the proposed property. Also, the proposed building will be in the open area close to Hwy. 129 which will help reduce the noise to the houses in the subdivision. Ms. Dove noted that the 50 ft. landscape buffer could be reduced to a 25 ft. structural buffer requiring a fence, berm, etc. Furthermore, the Board of Commissioners could put conditions on this commercial development during the rezone process, which they would have to abide by.

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

Chris Meadows made a motion to **deny** the Future Land Use Map Amendment change from "Residential" to "Commercial" for development of a commercial center. The motion was seconded by Les Knoblock. The map amendment case was **denied** by Chris Meadows, Les Knoblock and Larry Turner.

6. Text Amendment – Amendments within Article 12 of the Unified Development Code pertaining to tree protection, tree canopy compliance, and tree replacement.

Jamie Dove gave the staff report. In Article 12 of the Unified Development Code, there will be amendments in Division I pertaining to buffers, tree protection and landscaping; Division II – pertaining to tree protection purpose and general provisions; Division III pertaining to tree canopy compliance and tree replacement; Division IV convert "Tree Density" based ordinances to "Tree Canopy" based ordinances. After a long study of the tree canopy for land disturbance plans, the county will not allow for clear cutting. The county will require that disturbance plans require 20% of trees to remain on site or plant 20% of trees for pasture land. Also, a certified arborists stamp will need to be on the disturbance plans. If there is a lot of rock on the property, then an arborist will need to be called in to confirm that trees can't be planted on the property and then the 20% requirement will need to be planted in a park.

There was no one present at the meeting in favor or in opposition to this text amendment.

Harold Mull 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 text amendment within Article 12 of the Unified Development Code pertaining to tree protection, tree canopy compliance, and tree replacement. The motion was seconded by Larry Turner. The text amendment was **approved** by Les Knoblock, Larry Turner, and Chris Meadows.

Les Knoblock made a motion to adjourn the meeting and was seconded by Larry Turner. The motion was unanimous. Meeting adjourned at 7:00 p.m.

---

Steve Wittry, Chairman

---

Date

DRAFT