



Jackson County Board of Commissioners

February 19, 2024 at 6:00 PM
Jury Assembly Room - County Courthouse

MINUTES

1. **Call to Order - Chairman Tom Crow**

Chairman Tom Crow called the meeting to order at 6:03 p.m.

2. **Invocation - County Manager Kevin Poe**

Kevin Poe, County Manager, gave the invocation.

3. **Pledge of Allegiance - Commissioner Marty Seagraves**

Commissioner Marty Seagraves led the Pledge of Allegiance.

4. **Approval of Minutes**

A. **February 5, 2024 Draft Minutes**

To approve the minutes for February 5, 2024

Commissioner Hix moved to approve the minutes for February 5, 2024.
Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 4 - 0)

5. **Citizen Input**

Each speaker is provided up to four (4) minutes to address the board on any item that is not listed on this agenda.

There were no comments.

6. **Reports**

From County Manager Kevin Poe:

- Reported the next Governmental Roundtable will be held at the Braselton Civic Center at 6:00 p.m. on Wednesday, February 21, 2024

7. **Consent Agenda**

Commissioner Hix moved to approve the Consent Agenda as presented. Commissioner Bingham seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 4 - 0)

A. **Architectural Services for New Fleet Maintenance Building**

To consider contracting with Precision Planning, Inc. to provide Architectural

Services for the proposed new Fleet Maintenance Building

B. Approve list of dirt roads to be paved

To request that the BOC approve a list of dirt roads to be paved over the next two years

8. **Zoning Related Business**

A. New Business

1. **RZ-23-0194 : Laura Wilson, 5917 Brockton Loop, Jefferson; 22.15 acres (Map/Parcels 039 015D & 039 015A)**

Request to Rezone from PCFD (Planned Commercial Farm District) to A-2 (Agricultural Rural Farm District) in order to subdivide into 2 tracts

Ms. Jamie Dove, Public Development Director, presented the staff report for RZ-23-0194. This was a request to rezone property from PCFD to A-2 in order to split the property into two tracts. The total acreage was 22.15 acres. The A-2 rezoning will allow the applicant to split the property into smaller tracts. The Planning Staff and Planning Commission recommended approval.

A public hearing was held on the request. Nathaniel Wilson spoke and advised he was purchasing the property and wanted to split the parcel. Tony Beatty, 165 Standridge Road, Jefferson, GA, said the applicants were good people and had done a tremendous amount of work to improve the land. He asked the board to ensure the parcel conformed to the adjacent property after it was divided.

There was no opposition and the public hearing was closed. Commissioner Seagraves moved to approve RZ-23-0194 with one (1) condition.

1. Minimum of a 3 acre lot

Commissioner Bingham seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 4 - 0)

2. **RZ-23-0195 : Michele Ramsey, 44 Groaning Rock Road, Commerce; 25 acres (Map 012/Parcel 009)**

Request to Rezone from PCFD (Planned Commercial Farm District) to AR (Agricultural Residential) in order to subdivide into 13 tracts

Jamie Dove, Public Development Director, presented the staff report for RZ-23-0195. This was a request to rezone property from PCFD to A-R with the hope of subdividing it into thirteen (13) tracts. The Planning Staff and the Planning Commission recommend approval with one (1) condition.

1. If five (5) or more lots are created, they must utilize a County standard internal roadway as noted within the Jackson County Unified Development Code.

A public hearing was held on the request. Michelle Ramsey, 2463 Hwy. 51 S., Lula, GA spoke in support of the application. Ms. Ramsey was also the realtor and explained the family desired to rezone the property to subdivide the tracts to 1.5 acres. The property had been listed for sale for approximately one year. And, the contract was contingent on the approval of the A-R zoning. There was no opposition to the request and the public hearing was closed.

Chairman Crow moved to approve RZ-23-0195 with one (1) condition.

1. If five (5) or more lots are created, they must utilize a County standard internal roadway as noted within the Jackson County Unified Development Code.

Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 4 - 0)

3. **RZ-23-0197 : David Elder, 7094 Highway 124, Hoschton; 9.26 acres (Map 112/Parcel 028)**
Request to Rezone from A-2 (Agricultural Rural Farm District) to HRC (Highway Retail Commercial) in order to subdivide into 4 commercial use tracts

Jamie Dove, Public Development Director, presented the staff report for RZ-23-0197. This was a rezoning request from A-2 to HRC. The property was in the West Jackson overlay district and consisted of 9.23 acres. The Planning Staff and Planning Commission recommended approval. A public hearing was held on the request. David Elder, 123 Bear Creek Lane, addressed the board in support of the request. There was no opposition and the public hearing was closed.

Chairman Crow moved to approve RZ-23-0197. Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 4 - 0)

4. **SU-23-0057 : Joe Howard, 368 Sandy Creek Road, Commerce; 36.11 acres (Map 001/Parcel 008D)**
Request for a Special Use to have an event venue

Jamie Dove, Public Development Director, presented the staff report for SU-23-0057. The applicant requested approval of a special use for an event venue. The property consisted of approximately thirty-six acres. The Planning Staff and Planning Commission recommended approval with four (4) conditions.

1. There shall be no more than 225 guests on the property for an event.
2. Only one event shall be in operation at any given time.
3. Hours of operation shall be Sunday through Thursday, no earlier than 9 a.m. and no later than 9 p.m.; Friday and Saturday no earlier than 9 a.m. and no later than 10:30 p.m.
4. Property must go through proper site development review prior to issuance

of occupational tax certificate.

A public hearing was held on the request. A gentleman, who was not identified, spoke in support of the application. He reported that his daughter and son both had homes on the property, so someone would always be on site. There was no opposition and the public hearing was closed.

Chairman Crow moved to approve SU-23-057 with four (4) conditions as recommended by staff and the Planning Commission.

1. There shall be no more than 225 guests on the property for an event.
2. Only one event shall be in operation at any given time.
3. Hours of operation shall be Sunday through Thursday, no earlier than 9 a.m. and no later than 9 p.m.; Friday and Saturday no earlier than 9 a.m. and no later than 10:30 p.m.
4. Property must go through proper site development review prior to issuance of occupational tax certificate.

Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 4 - 0)

5. RZ-23-0196 : Maria Bazan, 2274 Highway 124, Jefferson; 5.7 acres (Map 094/Parcel 014A)

Request to Rezone from A-2 (Agricultural Rural Farm District) to R-1 (Single-family Detached) in order to subdivide into 5 tracts

Jamie Dove, Public Development Director, asked the board to table the request until the March meeting. She explained the entire parcel would not be included in the rezone. Staff asked the applicant for a plat, so they proceed with splitting the portion of the property that would not be included in the rezone. However, the plat was not readily available. Chairman Crow moved to table RZ-23-0196 until March meeting. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 4 – 0)

6. RZ-23-0198 : Jeff Chamberlain, 4825 Highway 53, Hoschton; 7.38 acres (Map B01/Parcel 016)

Request to Rezone from A-2 (Agricultural Rural Farm District) to NRC (Neighborhood Retail Commercial) in order to have a private school

Jamie Dove, Public Development Director, asked if the board wished to combine RZ-23-0198 and SU-23-0058 since they were the same project. There was a consensus of the board to combine the public hearings for RZ-23-0198 and SU-23-0058 and the applicant agreed. Ms. Dove presented the staff report explaining this was a request to rezone property in order to have a private/charter school in an existing building. She clarified the county code classified it as a private school. The applicant was Jeff Chamberlain and the property owner was the Town of Braselton. The Planning Staff recommended approval with five (5) conditions.

1. An intergovernmental agreement regarding the usage of the Historic Braselton Gym and Hoschton Park must be signed and/or executed by Jackson County Board of Commissioners and Town of Braselton prior to issuance of Certificate of Occupancy.
2. The property and existing structures must undergo a Change of Occupancy inspection for life safety, approval from State Fire Marshal when applicable, and receive a Certificate of Occupancy before the school opens and begins operation.
3. Any existing condition (at the time of rezoning and special use approval) that does not conform to the "Dimensional Requirements for Zoning Districts" from Table 2-2 of the Jackson County Unified Development Code shall be grandfathered/approved for parcel B01/016. Development of new structures on the site shall not require the non-conformance of existing structures to be eliminated when pertaining to square footage. Any new development must adhere to Section 434 – "Ground Floor Area Limitation" of the Jackson County Unified Development Code, as staff acknowledges that this supersedes "Dimensional Requirements for Zoning Districts" from Table 2-2 of the Unified Development Code.
4. Any changes, enhancements, repairs, additions, or new construction on the property must adhere to Article 4 - Overlay Districts within the Jackson County Unified Development Code as of date of rezone and special use approval.
 - 4a) The signable area of the existing ground monument sign can be replaced to depict the name and/or logo change. If any changes are to be made to the sign base, architectural materials, lighting, and/or size, the sign must adhere to Article 4 - Overlay Districts and Article 7 – Signs and Advertising Devices as of date of rezone and special use approval.
5. Property must go through proper site development review including Georgia Department of Transportation and utilities before a Certificate of Occupancy or Occupational Tax Certificate can be issued.

The Planning Commission recommended denial. Ms. Dove acknowledged receipt of opposition letters from Joy Tolbert, Superintendent of Commerce City Schools and Donna McMullan, Superintendent of Jefferson City Schools.

The combined, public hearing was held on the requests. Jeff Chamberlain, 3850 Broadmoor Avenue, Grand Rapids, Michigan spoke in support of the applications. He said this was the gateway entrance to the Town of Braselton and the building had been vacant for seven years. He noted several upgrades will be made to the parking lot for connectivity to two other lots. The exterior of the building will also be upgraded to look architecturally like Braselton's downtown area and they will contribute one-half of the cost to upgrade the gymnasium facility. Mr. Chamberlain also said there were two (2) existing intergovernmental agreements that were critical to their willingness to invest in the property.

Jeremy Barry, 1834 Independence Square, Atlanta, GA addressed the board in support of the request. He referred to the two opposition letters. He said the letters alleged that opening the school would have an impact on funding. He believed this was incorrect. He said this will be a charter school and will receive funds from both the state and federal government. Initially, the school will open

with Kindergarten through 5th grade. He further stated there will be no cost to local tax payers. This investment will serve more than 400 families who have already expressed interest.

Commissioner Seagraves asked how many families were from Jackson County. That number was not available. Larry Monroe, 1874 Sam Snead Drive, Braselton, GA and majority-owner and managing member of Cotton Calf Kitchen was in support of the request. Spencer Thomas, 2373 Bronze Oak Lane, Braselton, GA, and treasurer for the charter school also spoke in support of the request. He confirmed the application for the school was approved and school will offer parents a choice for education. Kirk Ward, Mayor of the Town of Braselton also spoke in support, adding it was his idea to birth the school.

Chip Ferguson, County Attorney, called for opposition. David Brown, a resident of Twin Lakes and a current Hoschton councilmember, had questions for the proposed project. One question was how traffic will impact the area. He also wanted to know how many students will come from the City of Hoschton; Debbie Martin, Mayor of the City of Hoschton, said she was not fully informed and asked the board to table the request for a couple of weeks. Ms. Martin commented that Hoschton would lose SPLOST dollars. Commissioner Bicknell reported Hoschton would not lose SPLOST funds because the funds stay in the community and did not follow the student.

The applicant was allowed time for rebuttal. Braselton Mayor Kirk Ward spoke in rebuttal and commented on traffic concerns. There were no comments and the public hearing was closed. Commissioner Bingham made the motion to approve RZ-23-0198. The motion died to the lack of a second.

Commissioner Bingham made a subsequent motion to table RZ-23-0198 to the next board meeting. Commissioner Seagraves seconded the motion. Mr. Ferguson confirmed the public hearing was conducted so the matter will come before the board for a vote only. Hearing no other discussion, the vote was taken and the motion failed due to the lack of a majority. Commissioners Bingham, Hix, and Seagraves voted in favor of the motion. Chairman Crow opposed. (Vote 3 - 1) Mr. Ferguson advised it will automatically move to the next agenda.

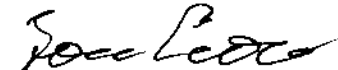
7. SU-23-0058 : Jeff Chamberlain, 4825 Highway 53, Hoschton; 7.38 acres (Map B01/Parcel 016)
Request for a Special Use to have a private school

Commissioner Bingham moved to table SU-23-0058 until the next board meeting. Commissioner Seagraves seconded the motion. The vote was taken, and the motion failed due to the lack of a majority. Commissioners Bingham, Hix, and Seagraves voted in favor of the motion. Chairman Crow opposed. The item will be considered at the next board meeting. (Vote 3 - 1)

9. Adjournment

Chairman Crow declared the meeting adjourned at 7:22 p.m.

Jackson County Board of Commissioners
Approved: March 4, 2024



Tom Crow, Chairman



Jim Hix, District 1 Commissioner



Chas Hardy, District 2 Commissioner



Chad Bingham, District 3 Commissioner



Marty Seagraves, District 4 Commissioner

Vacant, District 5 Commissioner



Attest: 

Ericka Johnson, Deputy Clerk

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