



Jackson County Board of Commissioners
Meeting Minutes

Monday, July 19, 2021 • 6:00 P.M.

The Jackson County Board of Commissioners met on Monday, July 19, 2021 at 6:00 p.m. in the Jury Assembly Room at the Jackson County Courthouse, 5000 Jackson Parkway, Jefferson, Georgia.

Commissioners Present: Tom Crow, Chairman
Jim Hix, Commissioner District 1
Chas Hardy, Commissioner District 2
Ralph Richardson, Jr., Commissioner District 3
Marty Seagraves, Commissioner District 4

Staff Present: Kevin Poe, County Manager
Gina Roy, Assistant County Manager
Trey Wood, Finance Director
Jamie Dove, Public Development Manager
Ericka Johnson, Deputy Clerk

Press: Mike Buffington, Mainstreet News/Jackson Herald

A. CALL TO ORDER:

Chairman Tom Crow called the meeting to order at 6:00 p.m.

B. INVOCATION:

County Manager Kevin Poe gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Commissioner Marty Seagraves led the Pledge of Allegiance.

D. APPROVAL OF MINUTES:

Commissioner Hix moved to approve the minutes for June 21, 2021. Commissioner Hardy seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

Commissioner Hix moved to approve the minutes for June 29, 2021. Commissioner Hardy seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

E. CITIZEN INPUT:

- **Tristan King, 689 Creek Nation Road, Jefferson, GA**, reported there was a lot of opportunity and need for development in Jackson County. However, he added many residents did not want Jackson County to become the next Gwinnett County.
- **Madonna Swanson Ward, 141 Courtland Road**, reported she was observing a repeat of what happened in Gwinnett County concerning the increased number of homes being built with no consideration given to improve infrastructure.
- **Cindy Smith, 1178 Antrim Glen Drive**, addressed the board and explained why she chose to move to Jackson County over sixteen years ago. She urged the board to consider the recommendation of planners when they vote on projects that were forthcoming.
- **Tawnette King, 689 Creek Nation Road**, said she moved here from the mid-west and believed Georgia was a beautiful state. She asked the board to consider what land could be saved for future generations and to focus on the open spaces.
- **Brittany Dozier, 68 Kingston Place, Hoschton, GA** explained she and her family moved to Jackson County to get away from Gwinnett County and its growth. She understood development and growth were inevitable; however, both should be managed.
- **Chris Dibby, 933 Boone Road**, asked the board to consider the overworked, understaffed law enforcement officers of Braselton and Jackson County and not turn this area into another Gwinnett County.
- **Mark Kushka, 956 Wood Creek Road, Jefferson, GA** moved to Braselton in 2004 to leave Gwinnett County. He urged the board to talk with the Board of Education and review GBI crime statistics that occur between urban and suburban developments.
- **Debbie Caffin, 167 Montvale Drive, Hoschton, GA** and a former resident of Gwinnett County, spoke and was concerned about the agricultural landscape throughout the county.
- **Betty Carter, 800 Antrim Glen Drive**, and a former resident of Gwinnett County spoke and read the definition of "urban". She and others did not want this designation for Jackson County.
- **Jennifer Crumley, 1118 Creek Nation Road**, reported when subdivisions are developed there's an increase in crime. She was also concerned that the roadways could not handle the increased traffic.
- **Frank Wood, 198 Morris Creek Drive**, was concerned and wanted to know if an impact study was performed to determine the impact to the county's infrastructure, particularly road and sewer systems.
- **Steve Kelley, 1536 Creek Nation Road**, and a former resident of Dekalb County told the board along with growth comes a lack of quality of services.

F. REPORTS:

None

G. RECOGNITIONS, APPOINTMENTS AND SPECIAL ITEMS:

1) Jackson County Board of Assessors – 3 Year Term:

- **Vacant (District 2 – Term Ends June 30, 2024)**

Commissioner Hardy did not have a nomination.

2) Presentation of FY 2020 Comprehensive Annual Financial Report:

(Kevin Poe, Trey Wood & Mauldin & Jenkins CPAs)

Trey Wood, Finance Director reported the 2020 audit was completed in June. He then introduced Josh Carroll, Director of Audits with Mauldin & Jenkins CPAs. Mr. Carroll presented the 2020 audit and reported an unmodified or “clean” opinion was issued. Mauldin & Jenkins also audited the Coronavirus Relief Funds received from the Treasury Department and expended to support Covid Relief and various other economic hardships. Mr. Carroll reported the funds were spent appropriately. There were no unusual or aggressive findings.

He stated the Georgia Finance Officers’ Association (GFOA) recommends a fund balance between 16% to 25%. The County’s Fund Balance had increased to 38% and was very healthy. Mr. Carroll reviewed the findings which were mostly related to the fire districts and the senior center. However, the findings had already been addressed. A copy of the full presentation has been filed in the Addendum Book and is a part of the official record.

H. CONSENT AGENDA:

None

I. UNFINISHED BUSINESS:

3) Approve Plainview Tower and Ground Lease Agreement: **(Kevin Poe)
To approve a Tower and Ground Lease Agreement with Plainview Recreation Center for the purpose of constructing, erecting and maintaining a communications tower and related equipment**

Kevin Poe, County Manager, reported at the prior meeting, this item was presented for consideration. The terms of the agreement were presented; however, the board asked him to go back to the Plainview Recreation Board and renegotiate the terms, particularly the time frame for the term of the agreement. Originally, there was a ten-year term, with an additional five-year extension. However, Mr. Poe reported the term was renegotiated and changed to an initial term of fifteen years with an additional five-year extension, totaling twenty years. The County will pay rent in the amount of \$6,000/year. Commissioner Hix made the motion for approval. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

J. **NEW BUSINESS:**

- 4) **(Public Hearing) – Creation of a Street Light Special Tax District for Camden Farms Subdivision:** (Jamie Dove)
To establish a special tax district for street lights for Camden Farms Subdivision. The application was submitted by Mark Rudolph as property owner

Jamie Dove, Public Development Manager, presented the staff report on a request for the creation of a special tax district for street lighting for Camden Farms Subdivision. The application was submitted by Mark Rudolph and she advised all application requirements were met. Ms. Dove said in order to final plat a subdivision, the special tax district was required in order to pay for the street lights. Camden Farms had a land disturbance permit and proposed the construction of twenty-five total lots upon completion.

Christopher Hamilton, County Attorney, opened the public hearing for comment. The applicant was present, but he did not have anything to add to staff's presentation. There was no opposition to the request and the public hearing was closed. Commissioner Seagraves made the motion to approve the creation of a special tax district for street lights for Camden Farms Subdivision. There was a second by Commissioner Richardson. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 5) **Adoption of an Ordinance Modifying the Jackson County Alcohol Ordinance:** (Jamie Dove)
Modify the Jackson County Alcohol Ordinance as codified as Chapter 4 of the Code of Jackson County

Jamie Dove, Public Development Manager, presented the staff report on a request to modify the County's alcohol ordinance. She advised staff discovered a contradiction within the Unified Development Code (UDC) versus the County's alcohol ordinance. She noted the UDC allowed for a farm winery which required a special use. It was discovered the County's alcohol ordinance did not permit this. Approval of the ordinance will eliminate the contradiction and add a Section "K" for farm winery.

Christopher Hamilton opened the public hearing. There were no comments. The public hearing was closed and request submitted to the board for consideration. Commissioner Hardy made the motion to approve the adoption of the ordinance modifying the alcohol ordinance as codified as Chapter 4 in the Jackson County Code. Commissioner Hix seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 6) **Create a Policy to Limit Number of Comprehensive Plan/Special Use Zoning Map Cases Heard Each Month Through Public Hearing at Planning Commission and Board of Commissioners Meetings:** (Jamie Dove)
Set a policy to establish a maximum number of cases to be heard at each month's Planning Commission and Board of Commissioners Meeting. Staff recommends the limit to be set at a maximum of eight (8)

Jamie Dove, Public Development Manager, presented the request. She reported there was an influx of applications, opposition, and an increase of individuals speaking on requests. Staff proposed a policy that would limit each case number to come in each month to eight (8). Commissioner Richardson made the motion for approval to create a policy limiting the number

of Comprehensive Plan/Special Use Zoning Map Cases heard each month through public hearings at Planning Commission and Board of Commissioners meetings to eight. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 7) **FY 2022 Aging Services Contract with the Northeast Georgia Regional Commission:** (Kevin Poe)
Approve and authorize the Chairman to sign the FY 2022 Aging Services Contract with the Northeast Georgia Regional Commission

Kevin Poe, County Manager, reported this was the annual renewal of the contract with the Northeast Georgia Regional Commission related to Aging Services provided to the senior community. This contract began at the state's fiscal year on July 1, 2021. The budget impact was \$16,868.

Commissioner Hix made the motion to approve the Aging Services contract for FY 2022. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 8) **FY 2022 Transportation Services Agreement with Northeast Georgia Regional Commission – Senior Center:** (Kevin Poe)
Approve the agreement between Northeast Georgia Regional Commission and Jackson County and its Senior Center for the transportation of program recipients for FY 2022

Kevin Poe, County Manager, reported this was the annual renewal of the contract with the Northeast Georgia Regional Commission related to transportation services provided to seniors transported to the Senior Center. This contract began on July 1, 2021. There was no budget impact to the County.

Commissioner Hardy made the motion to approve the request. Commissioner Richardson seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 9) **FY 2022 Transportation Services Agreement with Northeast Georgia Regional Commission – DHS:** (Kevin Poe)
Approve the agreement between Northeast Georgia Regional Commission and Jackson County for the transportation of Department of Human Services (DHS) Coordinated Transportation program recipients for FY 2022

Kevin Poe, County Manager, reported this was the annual renewal of the contract with the Northeast Georgia Regional Commission for transportation services provided through the Department of Human Services. The contract stipulated the fee schedule for services provided under the program. This contract began on July 1, 2021, and there was no budget impact to the County.

Commissioner Hix made the motion to approve the request. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 10) **Coronavirus Response and Relief Supplemental Appropriation (CRRSA):** (Kevin Poe)
Adopt a resolution to approve a Coronavirus Response and Relief Supplemental Appropriation (CRRSA) grant contract between Jackson County and Georgia Department of Transportation

Kevin Poe, County Manager, reported all airports in Georgia were now eligible to receive Coronavirus Response and Relief Supplemental Appropriation funds to offset losses encountered or expected due to the recent COVID pandemic. He added the Jackson County Airport met all the requirements to accept the grant. There was no local match required.

Staff recommended the board to adopt the resolution accepting the funds through the Georgia Department of Transportation to reimburse the County for projects completed at the airport. The County will receive approximately \$13,0000. Commissioner Richardson made the motion to approve the Coronavirus Response and Relief Supplemental Appropriation. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 11) **Add Position to Clerk of Court's Office:** (Kevin Poe)
Approve adding a Deputy Clerk position to the Clerk of Court's office and amend budget to cover additional cost to the FY 2021 budget; Budget Impact: \$32,430/year +benefits

Kevin Poe, County Manager, reported Clerk of Court Camie Thomas requested an additional Deputy Clerk position to help handle the increase in workload due to the increase in the number of Superior Court cases and court dates being scheduled. The position will be added to assist the Deputy Clerk currently handling criminal cases and to attend court sessions. The cost for salary was \$32,430 plus benefits. Mr. Poe advised there was an associated increase in revenue which will help offset the increase in cost. He recommended to add the additional position to the Clerk of Court's Office.

Commissioner Hix made the motion to approve adding the position to the Clerk of Court's Office with a budget impact of \$32,430. Commissioner Hardy seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 12) **Agreement to Provide Pre-Trial Intervention and Diversion Services to the District Attorney's Office of the Piedmont Judicial Circuit:** (Kevin Poe)
To approve an agreement between the District Attorney's Office of the Piedmont Judicial Circuit, the Jackson County Superior Court Clerk, C.S.R.A Probation Services, Inc., and Jackson County to provide pre-trial diversion service to the District Attorney's Office.

Kevin Poe, County Manager, reported the District Attorney for the Piedmont Judicial Circuit operated a pre-trial diversion program throughout the Judicial Circuit with supervision services provided by C.S.R.A. Probation Services, Inc. As per the agreement, C.S.R.A. will supervise the offender and collect fees and restitution to be turned over the County. Brad Smith, District Attorney for the Piedmont Judicial Circuit, recommended the approval of the agreement to provide these services. All costs of the program were paid by the offender so there was no budget impact to the County.

Chairman Crow made the motion to approve. Commissioner Hix seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 13) **Add Two Quick Response Vehicles to the Jackson County Emergency Services Operation:** (Kevin Poe)
To approve the addition of two Quick Response Vehicles (QRV) to the Jackson County EMS Department and amend FY 2021 budget to cover cost of initial capital cost and operating cost

Kevin Poe, County Manager, reminded members at the June 29, 2021 planning session, staff made a presentation to the board requesting that two Quick Response Vehicles be added to the EMS Department's operation. With the addition of the two units that would operate from 9:00 a.m. to 9:00 p.m. seven days a week, an overall improvement in the level of service the EMS Department provided could be addressed. He added there was a consensus of the board at the planning session to have staff move forward with adding two Quick Response Vehicles.

He requested the board to officially approve adding the Quick Response Vehicles to the east and west sides of the County and amend the FY 2021 budget to cover the initial capital cost to purchase and equip the vehicles along with the operating cost. Mr. Poe advised the department will go through a selection process to place a paramedic on the vehicles. The vehicles will require four new positions to keep the vehicles staffed for twelve hours. The initial capital cost was \$137,800 and the annual staffing and operating cost was \$233,500.

Commissioner Hix made the motion to add two Quick Response Vehicles to the Emergency Services Operation with \$137,800 capital investment and \$23,500 for staffing. Commissioner Richardson seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 14) **Approve Purchase & Sale Agreement for Tax Parcels 068 061 and 068 062 (Gordon Street Ctr.):** (Kevin Poe)
To approve entering into a Purchase and Sale Agreement with the Jackson County School System to purchase Parcels 068 061 and 068 062 from the Jackson County School System and to amend the FY 2021 budget to cover the cost of purchasing the parcels: Budget Impact: \$800,000

Kevin Poe, County Manager, said these two parcels were for the remainder of the Gordon Street Center. Several years ago, the Board of Education deeded the County part of the old Jackson County High School. He presented a request to purchase the remainder of the building which was shaded in yellow as indicated on the exhibit. He added this matter was also discussed at the planning session held on June 29, 2021. He explained the County would purchase the remainder of the building identified as "B" wing and "D" wing and an additional 2.8 acres. If approved, the County would own the entire Gordon Street Center, totaling over 12 acres and 60,000 square feet of office space.

The terms of the agreement required that the County pay \$800,000 for the remainder of the property and the transaction will be closed by December 31, 2021. The County will pay \$25,000 earnest money and have 60 days due diligence. Mr. Poe said the Board of Education will agree to vacate "B" wing by January 1, 2022 and vacate "C" and "D" wings by April 1, 2022. The primary purpose of the transaction was to expand the space for the Voter Registration & Elections Office. Commissioner Seagraves made the motion to approve the Purchase and Sale Agreement for Tax Parcels 068 061 and 068 062 for the Gordon Street Center with a budget impact of \$800,000. Commissioner Richardson seconded the motion.

Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

**15) (Public Hearing) – Pocket Road Property Acquisition (Tanner Property): (Kevin Poe)
Conduct public hearing and authorize Chairman to sign all closing documents.**

Christopher Hamilton, County Attorney, presented the request for the Pocket Road property acquisition. He said the board had given approval to proceed with advertising it for a public hearing due to the fact this was a sales agreement over a period of time which was required by law. Mr. Hamilton confirmed it was advertised and will include 65 acres of open space and operate as a passive park. The purchase price was \$800,000 and \$100,000 of it was a donation to the County by the owner. The remainder of the purchase (\$700,000) will be paid as follows: \$200,000 at closing, \$200,000 by July 31, 2021, and \$200,000 on or before January 31, 2022.

Chairman Crow stated the county had a 90-day due diligence period. The property had been surveyed, had an environmental inspection, and it was found to be satisfactory.

Christopher Hamilton, County Attorney, opened the public hearing. There was no comment in favor of or in opposition to the request. The public hearing was closed and he submitted the request to the board for consideration. Commissioner Richardson made the motion to approve the Pocket Road Property Acquisition (Tanner Property) with 65.45 acres for the purchase price of \$800,000 along with authorizing the Chairman to sign all related documents. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

K. ZONING RELATED BUSINESS:

Unfinished Business:

16) MA-21-0072 – Brian Pierce, 524 Dan Waters Rd., Commerce, GA; 10.34 acres; change the Character Area Map from “Agricultural” to “Rural”. (Map 009/Parcel 010)

<u>Planning Staff Recommendation:</u>	Approval
<u>Planning Commission Recommendation:</u>	Denial

Jamie Dove, Public Development Manager, presented the request for MA-21-0072. The applicant requested consideration of a Character Area Map amendment from “Agricultural” to “Rural” in order to subdivide the property. The Planning Staff and Planning Commissioner recommended approval of the request. Christopher Hamilton, County Attorney, reviewed the guidelines for holding the public hearing. He then opened the public hearing for MA-21-0072 for comment.

Spencer Lord, 437 Sam Brown Blvd., Commerce, GA addressed the board in support of the application on behalf of the applicant. He said this lot consisted of 10.34 acres; however, he wished to take 5 acres adjacent to Old Airport Road and Dan Waters Road and divide it into three, 1.6 acres lots with the intent to build approximately 2,400 square foot homes. Mr. Lord believed the development would be a good addition to the area. Mr. Hamilton called for opposition to the request.

Manda Barnett, 886 Dan Waters Road, addressed the board on behalf of herself, her husband, daughter, and neighbors, Debra and Randy Wilbanks. She lived on 14 acres

directly across Old Airport Road. She told the board of their plans to build a pasture for two horses. She did not believe the land use change was compatible to the current area, which was primarily agricultural. She asked the board to stop allowing builders to make plans for the community when they were not invested in the community. She was also concerned this would set a precedent. Mr. Lord spoke in rebuttal. He stated these would be three relatively large lots for the area and he believed it would be a great addition to the area.

Commissioner Hardy made the motion to deny MA-21-0072 based on the Planning Commission's recommendation. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

New Business:

- 17) **MA-21-0075 – Jasmine Stribling, 644 Chandler Bridge Road, Nicholson, GA; 5.15 acres; change the Character Area Map from "Rural" to "Suburban" in order to divide property into 2 tracts. (Map 017/Parcel 035)**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Manager, presented the staff report for MA-21-0075. The applicant seeks a Character Area Map amendment from "Rural" to "Suburban" to subdivide the property into two tracts in order to build her home. The Planning Staff and Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing. Jasmine Stribling, 644 Chandler Bridge Road, Nicholson addressed the board. She explained that she wanted to build a home behind her mother's home. There was no opposition to the request and the public hearing was closed.

Commissioner Seagraves made the motion to approve MA-21-0075 following the recommendation from staff and the Planning Commission. Commissioner Richardson seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 18) **MA-21-0076 – MTT Holding, LLC, corner of Boone Road/Hwy. 332, Hoschton, GA; change the Future Land Use Map from "Agricultural/Forestry" to "Residential" and change the Character Area Map from "Suburban" to "Urban" for a residential subdivision. (Map 113/Parcel 007A)**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Director, advised MA-21-0076 and MA-21-0077 were a combined project and asked if they board wished to combine the public hearings. The applicant agreed to join the public hearings. MTT Holding, LLC, Michael Hayes, and Gloria Hayes requested the change the Future Land Use Map from "Agricultural/Forestry" to "Residential" and change the Character Area Map from "Suburban" to "Urban". The applicant submitted a concept plan with the map amendment showing the lot layout and proposed use for the residential subdivision. The Planning Staff and Planning Commission recommended approval on both applications. Christopher Hamilton, County Attorney, opened the combined hearing for MA-21-0076 and MA-21-0077 with the consent of the applicant.

Stanton Porter, 98 North Broad Street, Winder, GA addressed the board. He stated the applicant wanted to go beyond what was required for a map amendment. He advised a lot of thought, design, and planning was put into this project in order to meet the needs of Jackson County, be beneficial, and create a great project for the County. This area consisted of a 170-acre tract. A concept plan was submitted with the application; however, Mr. Porter presented one that was slightly different because it offered additional greenspace. Approximately 66 acres was designated as open space. He advised this project will be constructed in phases and have three entrances. He anticipated a five-to-six-year buildout on the development. At today's prices, he estimated the home prices to range from the high \$200,000 to the upper \$300,000. The board asked questions concerning the concept plan. Mr. Porter noted the plan had 340 lots on 170 acres.

Mr. Hamilton called for opposition. Tristan King, 689 Creek Nation Road, cautioned the board to strategies developers use concerning site plans. John Mosley, 855 Boone Road, thought growth should be appropriately managed to prevent the County from becoming the next Gwinnett County. He respectfully asked the board to pause on the development because the project was high density in a concentrated area. Chris Dibby, 933 Boone Road, reported on the number of accidents at Hwy. 332 and Boone Road. Dylan Kepes, 580 Freedom Parkway, Hoschton, GA was concerned about the safety of kids with the increased growth. Cindy Smith, 1178 Antrim Glen Drive, urged the board to manage the growth because of the current population of the school system, and increased response time for emergency and public safety services. She also thought Boone Road could not accommodate the traffic from the development. Debra White, 678 Southampton Circle, told the board the roads could not handle the increased traffic. Lydia Moyer, 1721 Skelton Road, encouraged the board to manage the growth and consider how to make Jackson County the premier county to live in. Natisha Kidwell, 113 Raven Ridge, suggested the board not to take any action and consider the impact to the community and infrastructure. Rodney Holland, a lifelong resident who resided at 1055 Ward Road, Hoschton addressed the board. He said traffic was terrible on Hwy. 332 and he was opposed to the development. Milton Michael Martin, 219 Glen Lake Drive, Hoschton, GA was concerned about the development. He thought the board should pause and look further into the details in an effort to make the right decision.

Stanton Porter spoke in rebuttal to the concerns expressed from opposition. He said these will be well-built, quality homes up to 3,500 square feet and would be great for middle class families. He reiterated the total acreage was 170 acres with 66 acres of open space. He urged the board to follow the staff's and Planning Commission's recommendation and approve the request. The public hearing was closed and request submitted to the board for consideration.

Commissioner Richardson encouraged the audience to get more involved and provide input to the map amendment process. He then made the motion to deny MA-21-0076. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 19) **MA-21-0077 – Michael D. Hayes and Gloria Ann Hayes, 638 Boone Rd., Hoschton, GA; 5.0 acres; change the Future Land Use Map from "Agricultural/Forestry" to "Residential" and change the Character Area Map from "Suburban" to "Urban" for a residential subdivision. (Map 113/Parcel 007A1)**

Planning Staff Recommendation:

Planning Commission Recommendation:

Approval

Approval

Commissioner Richardson made the motion to deny MA-21-0077. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 20) **RZ-21-0075 – Wendy Burns, 833 Seagraves Mill Road, Hull, GA; 4.531 acres; rezone from A-2 to A-R in order to divide property into 2 tracts. (Map 004/Parcel 020D)**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Manager, presented the staff report for RZ-21-0075. The applicant requested a rezoning from A-2 to A-R in order to divide the property into two lots. The Planning Staff and Planning Commission recommended approval of the request. Ms. Dove advised Ms. Burns left the meeting early due her concerns about the large crowd and her immune system. Christopher Hamilton, County Attorney, opened the public hearing for comment. No input was received and the public hearing was closed.

Commissioner Seagraves made the motion to approve RZ-21-0075. Commissioner Hardy seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 21) **RZ-21-0077 – Genuine Mapping & Design, LLC, County Farm Road, Jefferson, GA; 113.61 acres; rezone from A-2 to A-R for a residential subdivision. (Map 051/Parcel 007)**

Planning Staff Recommendation:

Approval with 10 conditions

Planning Commission Recommendation:

Approval with same 10 conditions

Jamie Dove, Public Development Manager, presented the request for RZ-21-0077 for a single-family residential subdivision with 64 lots on 113.61 acres. She reported Peachtree Environmental had submitted a letter providing a summary report for the removal of the dump site on the property. The Planning Staff and the Planning Commission recommended approval of the request with ten (10) conditions.

1. The minimum heated floor space shall be 1,800 square feet.
2. Each unit shall have a two-car garage.
3. No vinyl siding shall be used in the development.
4. All dwellings shall have front and side facades of brick and/or stacked stone with accents of fiber-cement shake or siding. The rear façade may be the same material or wood siding, wood shake, real cedar shake, or fiber-cement shake or siding.
5. A mandatory homeowners association shall be responsible for any maintenance associated with the open space, any proposed signage and landscaping proposed at the entrance.
6. The setbacks required for the AR, Agricultural Residential District must be adhered to and they are as follows; front setback is 50 feet, side setbacks are 40 feet each and the rear setback is 40 feet.
7. The Jackson County UDC, Division II – General Provisions for Uses, Lots and Buildings, Sec. 116 – Lot Width, item (c.) establishes where the required lot widths for each zoning

district are measured from. The lot width at the building line for the AR, Agricultural Residential District is required to be 150 feet at the front building line.

8. All lots shall meet or exceed the minimum septic tank lot size requirements of the Jackson County Environmental Health Department.
9. The length of the cul-de-sac shown on the Rezoning Plan exceeds the length allowed by the UDC. Article 16 Streets & Sidewalks, Sec. 1616 Dead end streets and Cul-de-sacs, Item (c) states the following..."Maximum length. The maximum length of a cul-de-sac street shall be 600 feet, unless necessitated by topographic or other conditions and approved by the Public Development Director. If these conditions exist, the maximum length shall be 1,500 feet unless a greater length is approved as a special exception by the Board of Adjustment. The length of several cul-de-sacs shown on the Conceptual Site Plan exceeds what is allowed by ordinance. If the cul-de-sacs cannot be shortened an application for a special exception needs to be made to the Board of Adjustment for their consideration.
10. Underground utilities shall be installed throughout the development.

Christopher Hamilton, County Attorney, opened the public hearing for the request. Eric Johansen, 3938 Oak Crossing Drive, Suwanee, GA spoke on behalf of Genuine Mapping & Design. He was amenable to the recommended conditions. He reported the issue with the cul-de-sac will be fixed with the addition of roundabouts throughout the site to divide the length. Mr. Johansen advised the plan was revised and now included 62 lots.

Mr. Hamilton called for opposition. Chuck Rigdon, 207 Daves Farm Road, reported the applicant had assured him a buffer would be placed between the two properties to protect his visual. Mr. Johansen spoke in rebuttal and advised he never spoke with Mr. Rigdon. He reported their site plan included a 20' buffer around the perimeter of the property. The public hearing was closed and the request submitted to the board for consideration.

Commissioner Seagraves made the motion to approve RZ-21-0077, along with the ten (10) conditions as read by staff and recommended by the Planning Commission.

1. The minimum heated floor space shall be 1,800 square feet.
2. Each unit shall have a two-car garage.
3. No vinyl siding shall be used in the development.
4. All dwellings shall have front and side facades of brick and/or stacked stone with accents of fiber-cement shake or siding. The rear façade may be the same material or wood siding, wood shake, real cedar shake, or fiber-cement shake or siding.
5. A mandatory homeowners association shall be responsible for any maintenance associated with the open space, any proposed signage and landscaping proposed at the entrance.
6. The setbacks required for the AR, Agricultural Residential District must be adhered to and they are as follows; front setback is 50 feet, side setbacks are 40 feet each and the rear setback is 40 feet.
7. The Jackson County UDC, Division II – General Provisions for Uses, Lots and Buildings, Sec. 116 – Lot Width, item (c.) establishes where the required lot widths for each zoning

district are measured from. The lot width at the building line for the AR, Agricultural Residential District is required to be 150 feet at the front building line.

8. All lots shall meet or exceed the minimum septic tank lot size requirements of the Jackson County Environmental Health Department.
9. The length of the cul-de-sac shown on the Rezoning Plan exceeds the length allowed by the UDC. Article 16 Streets & Sidewalks, Sec. 1616 Dead end streets and Cul-de-sacs, Item (c) states the following... "Maximum length. The maximum length of a cul-de-sac street shall be 600 feet, unless necessitated by topographic or other conditions and approved by the Public Development Director. If these conditions exist, the maximum length shall be 1,500 feet unless a greater length is approved as a special exception by the Board of Adjustment. The length of several cul-de-sacs shown on the Conceptual Site Plan exceeds what is allowed by ordinance. If the cul-de-sacs cannot be shortened an application for a special exception needs to be made to the Board of Adjustment for their consideration.
10. Underground utilities shall be installed throughout the development.

Commissioner Hix seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

22) RZ-21-0078 – Genuine Mapping & Design, LLC, Creek Nation Road, Jefferson, GA; 84.39 acres; rezone from A-2 to R-1 for a residential subdivision. (Map 094/Parcel 010)

Planning Staff Recommendation:

Approval with 6 conditions

Planning Commission Recommendation:

Approval with same 6 conditions

Jamie Dove, Public Development Manager, presented the staff report for RZ-21-0078. The applicant requested a rezoning from A-2 to R-1 for a single-family residential subdivision on 84.39 acres on Creek Nation Road. The Planning Staff and Planning Commission recommended approval with six (6) conditions.

1. The minimum heated floor space shall be 1,800 square feet.
2. Each unit shall have a two-car garage.
3. No vinyl siding shall be used in the development.
4. All dwellings shall have front and side facades of brick and/or stacked stone with accents of fiber-cement shake or siding. The rear façade may be the same material or wood siding, wood shake, real cedar shake, or fiber-cement shake or siding.
5. A mandatory homeowners association shall be responsible for any maintenance associated with the open space, any proposed signage and landscaping proposed at the entrance.
6. Underground utilities shall be installed throughout the development.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Scotty Dowis, 64 Washington Street, Jefferson, GA spoke in support of the application. He agreed to the recommended conditions. He proposed the development of 99 lots with an average home price of \$450,000 and up. There would be 25 acres of open space and onsite sewer. Mr. Hamilton called for opposition.

Tawnette King, 689 Creek Nation Road, reported Creek Nation Road was a winding, wooded road. She stated the proposed entrance was in what was referred to as "the death curve". Also, she believed the development did not follow the Comprehensive Plan and was not suitable for the area. Brian Burris, 737 Creek Nation Road, reported he lived across the road from the proposed development. He did not agree with the proposed number of homes and was concerned about response to fire services. Tristan King, 689 Creek Nation Road, also lived across from the proposed development. He expressed concern regarding increasing the home values of current residents if the development was approved. He believed this was gentrification.

Susan Phillips, 1029 Creek Nation Road, felt the rezoning of the area would be detrimental. Scott Kelley, 1536 Creek Nation Road, was concerned about increased traffic. Todd Simmons, 317 Creek Nation Road, was concerned with the lack of infrastructure in the area. There was a brief discuss regarding the posting of signage on the property. Ms. Dove told the board staff put three (3) signs out, but they were cut down with a chainsaw. She advised drastic measures were taken to get the signs out on the property. Photos were included in the board's packet.

Mr. Johansen spoke in rebuttal. He reaffirmed the project was well under the density that could be provided with the development. The public hearing was then closed. Commissioner Hix stated the commissioners had a concern, love, and care for the County. He admitted the County was changing and there would be favorable and unfavorable things to take place. However, he felt the density was too high. He then moved to deny the request. Commissioner Richardson seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 23) **SU-21-0018 – Fortified Telecom Services, 1524 Old State Road, Pendergrass, GA; 20 acres; special use for Verizon Wireless to construct a new cell tower and lease antenna space on the structure and ground space to other wireless providers. (Map 101/Parcel 003C)**

Planning Staff Recommendation:

Planning Commission Recommendation:

Approval

Approval

Jamie Dove, Public Development Director, presented the staff report for a special use application. The total acreage was 20 acres, but the special use was only needed on 0.23 acres for a new cell phone tower. The Planning Staff and Planning Commission recommended approval of the request.

Christopher Hamilton, opened the public hearing. Greg Spence, 86 Bull River Bluff Drive, Savannah, GA addressed the board in support of the request. He explained research was conducted to locate possible sites for a tower for Verizon. He reported there was nothing else available within a two-mile radius. He also said this will help buildout the wireless infrastructure in this area of the county. The tower will also be construct to accommodate five other carriers. There were no questions for the applicant. There was no opposition to the request and the public hearing was closed. Commissioner Hix made the motion to approve SU-21-0018. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 24) **SU-21-0019 – Motorola Solutions, 515 Stan Evans Drive, Jefferson, GA; 0.22 acres; special use for a proposed radio tower for emergency management radio communications. (Map 051/Parcel 001E1)**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Manager, advised the County was the applicant for SU-21-0019, SU-21-0020, and SU-21-0022 and all were related to the new radio system project. She asked if the board wanted to combine the public hearings for the three applications. The board agreed. She explained the board elected to go through the special use application for transparency. Staff reviewed the requests and the concept plans. One was located on Stan Evans Drive, one on Lewis Braselton Boulevard at the EMS Station and one at Traditions Way near the water tower. Ms. Dove informed the board the request for Plainview will go before the Planning Commission on Thursday and will come to the BOC in August. The Planning Staff and Planning Commission recommended approval of the requests.

Christopher Hamilton, County Attorney, opened the combined public hearing for SI-21-0019, SU-21-0020, and SU-21-0022. No one elected to speak in support of the requests. There was no opposition to the requests, and the public hearing was closed.

A motion was made by Commissioner Seagraves, seconded by Commissioner Hardy, to approve SU-21-0019. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 25) **SU-21-0020 – Motorola Solutions, 11917 Lewis Braselton Blvd., Braselton, GA; 6.72 acres; special use for a proposed radio tower for emergency management radio communications. (Map 119/Parcel 015D)**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

A motion was made by Commissioner Seagraves, seconded by Commissioner Richardson, to approve SU-21-0020. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 26) **SU-21-0022 – Motorola Solutions, 5271 Traditions Way, Jefferson, GA; 2 acres; special use for a proposed radio tower for emergency management radio communications. (Map 105/Parcel 019F)**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

A motion was made by Commissioner Seagraves, seconded by Commissioner Richardson, to approve SU-21-0022. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

- 27) **Text Amendment - An Ordinance of Jackson County, Georgia Amending the Jackson County Unified Development Code Adopted October 2, 2017, as amended, to amend Article 2, "Zoning Districts," Division II, "Zoning Districts," Tables 2-1 and 2-2 and Section 216, "R-1, Residential, Low-Density Single-Family District," paragraph (a), "Purpose and intent,"; to amend Article 2, "Zoning Districts," Division 3, "Use Definitions," Division I, "Uses," to repeal the definition of "Master planned development"; to amend Article 3, "Specific Use Provisions," Division I, "Uses" to repeal Section 3-084, "Master Planned Development," and amend Section 3-089, "Open Space Subdivision;" to amend Article 3, "Specific Use Provisions," Division II, "Towers and Wireless Telecommunication Facilities," Section 3-213, "Tower and monopole restrictions," paragraph (a); to amend Article 4, "Overlay Districts," Division III, "East and West Jackson Corridor Overlay Districts," Section 438, "Street and streetscape requirements;" to amend Article 8, "Soil Erosion Control, Land Disturbance and Development Permitting," Division IV, "Development Permits," Section 844, "Development plan specifications," paragraph (d), "project name and phase;" to repeal conflicting ordinances; to provide for severability; and to provide for an effective date.**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Manager, advised staff had reviewed several items related to density, single-family, detached homes, and the necessary utilities. Staff proposed a text amendment to change the following: The UDC would be amendment to delete master planned development and to amend open space subdivisions. Specifically open space subdivisions would now require a connection to public water and public sanitary sewer. Open space subdivisions will no longer be allowed in an A-R zoning district and master planned subdivisions will no longer be allowed in any zoning district.

Ms. Dove explained many open space rezones were accompanied with a supplemental special use for the master plan, and this will no longer take place. She also reported dimensional requirements were reviewed and amended specifically that the maximum gross residential density for single-family detached homes (dwelling units per acre) would be amended to the minimum for septic tank which is .666 dwelling units per acre in R-1, R-2, and R-3 subdivisions. There will be one dwelling unit per acre in R-1, R-2, and R-3 when public water and septic tank are available. Two dwelling units will be allowed in R-1, R-2, and R-3 when public water and public sanitary sewer are available.

The minimum lot width for single-family detached would be amended to 100' wide in R-1, R-2, and R-3 zonings when public water and septic are available and 80' wide in R-1, R-2, and R-3 when public water and public sanitary sewer are available. She added 60' wide would be obtainable in an R-3 zoning if it was planned for an open space subdivision. Lastly, if public water and sanitary sewer were available in the R-1, R-2, and R-3 zoning for a detached single-family home, there will no longer be a minimum residential lot area for the open space subdivision. There were no questions from the board.

Christopher Hamilton, County Attorney, opened the public hearing for the text amendment. There was no public comment and the public hearing was closed. Commissioner Hix moved to approve the text amendment as presented. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

L. EXECUTIVE SESSION:

None

M. ADJOURNMENT:

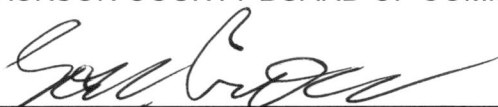
Chairman Crow adjourned the meeting at 9:06 p.m.

All printed material/documentation presented is filed in Board Minute Addendum Book No. 13-Q and hereby becomes a part of the official minutes.

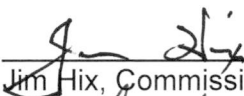
Minutes Approved: Monday, August 2, 2021

JACKSON COUNTY BOARD OF COMMISSIONERS

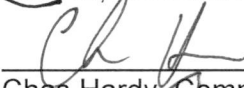




Tom Crow, Chairman



Jim Hix, Commissioner District 1



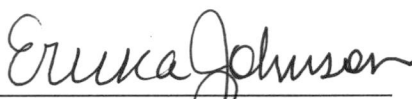
Chas Hardy, Commissioner District 2



Ralph Richardson, Jr., Commissioner District 3



Marty Seagraves, Commissioner District 4

Attest: 

Ericka Johnson Deputy Clerk