



## BOARD OF ADJUSTMENTS MINUTES

Jackson County Administration Building Auditorium  
67 Athens Street  
Jefferson, GA 30549

March 3, 2016  
6:30 P.M.

### Board Members Present

Marty Clark, Vice-Chairman  
James Scott  
Shirley Turner

### Board Members Absent

Joe Holt, Chairman  
Mark Palmer

### Staff

Gina Roy, Director  
Jamie Dove – Planner  
Kathy Holloway – Zoning Administrator

Marty Clark, Vice-Chairman, called the meeting to order at 6:30 p.m.

Shirley Turner made a motion to approve the February 4, 2016 BOA minutes and was seconded by James Scott. The motion passed unanimously.

Gina Roy gave the staff comments. There are no April BOA cases filed in as of today, but the deadline to turn in for the April BOA Meeting is Monday, March 7, 2016. We will let you know if there will or will not be a BOA Meeting in April. Also Mrs. Roy noted that if all three members of the board present tonight didn't approve the variance that it would be denied. Also, she noted that the applicant has the choice to postpone the meeting until next month and maybe all members would be present. But, the applicant decided to go ahead with the meeting. Also, Mrs. Roy read the hearing procedures and noted that the hearing procedures are located on the table by the door. Marty Clark asked all participants of the meeting to raise their right hand and repeat after him the blanket swearing.

**New Business:**

1. **BOA-16-02** - Development Planning & Engineering requests to eliminate the 50 ft. county stream buffer in order to construct a single family residence at 4727 Fairways Lane, Jefferson, GA. (Map 105D/Parcel 005G)

The applicant is requesting a stream buffer variance to completely eliminate the 50 ft. county stream buffer. This variance request does not amend the required 25 ft. stream buffer required by the state. All undeveloped lots including the subject lot are required to comply with the county's UDC requirements for stream buffers, which establish a 50-ft. wide stream buffer requirements in addition to the 25 ft. wide, state imposed stream buffer for a total of 75 ft. from the stream. Currently, the 50 ft. county stream buffer runs through the center of the proposed house location. Staff has reviewed this application in conjunction with the standards for approval set forth by the Jackson County Unified Development Code. The staff recommends that the Board of Adjustment deny this request to waive the 50 ft. county buffer requirement. Planning staff does not feel as if the entire 50 ft. county stream buffer needs to be eliminated. However, staff would be in favor to grant some relief, and consider granting a partial reduction of the 50 ft. county stream buffer as opposed to a waiver. If a reduction is granted by the Board, staff recommends that the county stream buffer be reduced from 50 ft. to no less than 25 ft. outside the state-required 25 ft. buffer (reduction from 75 ft. to no less than 50 ft.)

The applicant, Tonya Woods of Development Planning and Engineering, 5074 Bristol Industrial Way, Ste. A, Buford, GA 30518 was present to represent the case. Also, the owner, Brian Simmons of Land Traditions, LLC, 4335 South Lee Street, Ste. C, Buford, GA 30518 was present to represent the case. Ms. Woods and Mr. Simmons understood that the county can't waive the entire 50 ft. county stream buffer. But, they request to have the county stream buffer reduced 26 ft. in order to keep the house in line with the other houses on the street. There was discussion between the board and staff. Staff noted to the board that staff has no problem with the county stream buffer reduced from 50 ft. to 24 ft. in order to keep the houses in line with the other houses on the street.

There was no opposition.

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

James Scott made a motion to approve the variance to reduce the county stream buffer from 50 ft. to 24 ft. in order to construct a single family residence at 4727 Fairways Lane, Jefferson, GA. The motion was seconded by Shirley Turner. Also, the motion was approved unanimously by James Scott, Shirley Turner, and Marty Clark. (3-0)

2. **BOA-16-03** – Development Planning & Engineering requests to reduce the 50 ft. county stream buffer to 40 ft. in order to construct a single family residence at 4733 Fairways Lane, Jefferson, GA (Map 105D/Parcel 006G)

The applicant is requesting a stream buffer variance to reduce the 50 ft. county stream buffer to 40 ft. This variance request does not amend the required 25 ft. stream buffer required by the state. All undeveloped lots including the subject lot are required to comply with the county's Unified Development Code requirements for stream buffers, which establish a 50 ft. wide county stream buffer in addition to the 25 ft. wide, state imposed stream buffer for a total of 75 ft. from the



stream. Currently, the 50 ft. county stream buffer runs through the corner of the proposed house location. Staff has reviewed this application in conjunction with the standards for approval set forth by the Jackson Co. Unified Development Code. Planning staff does not feel as if the proposed 10 ft. reduction would provide enough assurance that the builder will be clear of the county stream buffer. Staff would be in favor of granting the applicant a 15 ft. reduction rather than a 10 ft. reduction. If a reduction is granted by the Board, staff recommends that the county stream buffer be reduced from 50 ft. to 35 ft. outside the state required 25 ft. buffer (reduction from 75 ft. to 60ft.).

The applicant, Tonya Woods of Development Planning and Engineering, 5074 Bristol Industrial Way, Ste. A, Buford, GA 30518 was present to represent this case. Also, the owner, Brian Simmons of Land Traditions, LLC, 4335 South Lee Street, Ste. C, Buford, GA 30518 was present to represent this case. Ms. Woods and Mr. Simmons are fine with staff's recommendation to reduce the county stream buffer from 50 ft. to 35 ft. to make sure that the house is clear of the county stream buffer.

There was no opposition.

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

James Scott made a motion to approve the variance to reduce the 50 ft. county stream buffer to 35 ft. in order to construct a single family residence at 4733 Fairways Lane, Jefferson, GA. The motion was seconded by Shirley Turner. Also, the motion was approved unanimously by James Scott, Shirley Turner, and Marty Clark. (3-0)

The meeting was adjourned at 6:45 p.m.

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*Joe Holt, Chairman*

*Date*