

**Board of Commissioners Agenda Setting Meeting
Courthouse Commission Chambers
July 2, 2019 – 6:00 p.m.
Minutes**

Members Present:

Chairman John Daniell
Commissioner Mark Thomas
Commissioner Chuck Horton
Commissioner William E. “Bubber” Wilkes
Commissioner Mark Saxon

Staff Present:

Justin Kirouac, County Administrator
Daniel Haygood, County Attorney
Kathy Hayes, County Clerk
Tracye Bailey, Deputy Clerk
Guy Herring, Planning & Code Enforcement Director
Gabriel Quintas, Assistant Planning & Code Enforcement Director
Grace Tuschak, Planner
Sherry Seila, Acting Human Resources Director
Jill Faulkner, Human Resources Specialist
Paula Nedza, IT Director

Call to Order: 6:00 p.m.

Pledge of Allegiance: County Clerk Kathy Hayes led the Pledge after a moment of silence.

Approval of Agenda:

Motion: Mark Thomas
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon
Voted Against Motion: None.
Action/Motion: **Motion Passed to Approve** the July 2, 2019 Agenda.

Statements and Remarks from Citizens:

None.

Statements and Remarks from Commissioners:

Chairman John Daniell:

- Town Hall Meeting – August 1, 2019, 7:00 p.m., Civic Center
- July 4th – County Government Offices Closed
- July 4th Fireworks Event at Epps Bridge Centre
- Action was taken after Executive Session of the June 25, 2019 Board Meeting. The Board entered into a land acquisition contract for 7.63 Acres located at US Highway 441 and Old US Highway 441. Contract Amount: \$650,000. The property will be used to construct the County Administrative Building to house non-judicial employees and county services.

Approval of Minutes:

June 4, 2019 Regular Meeting
June 25, 2019 Agenda Setting Meeting
Motion: Mark Saxon
Second: Bubber Wilkes
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon
Voted Against Motion: None.
Action/Motion: Motion Passed to Approve Minutes of June 4 and June 25, 2019.

Public Hearing: Unified Development Code Article 4 and Article 5 Text Amendments:

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Text Amendments were presented as shown in Department Memo dated June 28, 2019, and are attached to and made a part of the minutes.

Public Comment Period was opened and there was none.

Motion: Chuck Horton
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon
Voted Against Motion: None.

Action/Motion:

Motion Passed to Adopt the Unified Development Code Text Amendments of Article 4 and Article 5 as presented by the Planning & Code Enforcement Director.

Special Use No. 7787: Applicant-Carter Engineering Consultants, Inc.

Presented by: Gabriel Quintas, Assistant Planning & Code Enforcement Director
Recommendations: Planning Commission recommended approval unanimously and staff recommends approval. Should the Board approve, Staff recommends three (3) conditions.

Public Comment Period was opened.

Jeff Carter, Carter Engineering and Owner Representative, spoke in favor of the request.

Public Comment Period was closed.

Motion: Mark Saxon

Second: Mark Thomas

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon

Voted Against Motion: None.

Action/Motion:

Motion Passed to Approve Special Use No. 7787; Applicant-Carter Engineering, Inc; Owner-Prince Avenue Baptist Church; Zoned A-1; ±60.75 Acres; Ruth Jackson Road; for the purpose of expansion of a community-scale church; with three (3) conditions.

Rezone No. 7798: Applicant – Carter Engineering, Inc.

Presented by: Gabriel Quintas, Assistant Planning & Code Enforcement Director

Recommendations: Planning Commission recommended denial and staff recommends approval. No additional conditions are recommended.

Public Comment Period was opened.

Jeff Carter, Carter Engineering and Owner Representative, spoke in favor of the request.

Judd Shiner, Scout Construction, spoke in favor of the request.

Derek Carroll signed up to speak against the request but deferred to Amber Trevors.

Amber Trevors, President of the Timmarron Homeowners Association, spoke against the request. Ms. Trevors provided photos to the Board and stated her concerns regarding removal of trees within the buffer of Morningside; maintenance of detention areas; and prevention of water runoff before, during and after construction of the Morningside homes.

Derek Carroll, Timmarron Subdivision, stated his concerns regarding removing trees and the water runoff towards Hodges Mill Road and the impact to Timmarron Subdivision.

Jeff Carter, Carter Engineering and Owner Representative, presented rebuttal comments and will abide by Public Works requirements regarding a detention pond.

Public Comment Period was closed.

Motion: Mark Saxon

Second: Chuck Horton

Voted in Favor of Motion: Mark Horton, Mark Saxon

Voted Against Motion: Mark Thomas, Bubber Wilkes, John Daniell

Action/Motion:

Motion to Deny Failed-Rezone No. 7798; Applicant-Carter Engineering, Inc; Owner-Scout Construction, LLC; Zoning-AR (formerly AR-1) to AR with modifications to Rezone No. 2039; ±5.99 Acres; intersection of Morningside Drive and Hodges Mill Road.

Motion: Mark Thomas

Second: Chuck Horton

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Bubber Wilkes Mark Saxon

Voted Against Motion: None.

Action/Motion:

Motion Passed to Postpone for the August 6, 2019 Board Meeting to allow County Staff and Engineer to provide recommendations regarding drainage issue for Rezone No. 7798; Applicant-Carter Engineering, Inc; Owner-Scout Construction, LLC; Zoning-AR (formerly AR-1) to AR with modifications to Rezone No. 2039; ±5.99 Acres; intersection of Morningside Drive and Hodges Mill Road.

Commissioner Horton asked that representatives from both subdivisions, Timmarron and Morningside, meet to discuss possible solutions.

Rezone No. 7734: Applicant – Ken Beall, Beall and Company

Presented by: Gabriel Quintas, Assistant Planning & Code Enforcement Director
Recommendations: Planning Commission recommended approval and to strike condition No. 5. Staff recommends conditional approval with eight (8) conditions and has no objection to striking Condition No. 5.

Public Comment Period was opened.

Ken Beall, Beall & Company and Owner Representative, spoke in favor of the request and has no objection to the eight conditions. Mr. Beall asked that the Public Works Director be consulted regarding Condition No. 5.

Public Comment Period was closed.

Motion:

Mark Thomas

Second:

Chuck Horton

Voted in Favor of Motion:

Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon

Voted Against Motion:

None.

Action/Motion:

Motion Passed to Approve Rezone No. 7734; Applicant-Ken Beall, Beall and Company; Owner-Burgess Family Enterprises, LLC and J.G. Griffith Investments, LLC; Zoning A-1 and B-2 to B-2; ±19.289 Acres; Jennings Mill Road, Oconee Connector, and Virgil Langford Road; with eight (8) conditions and removal of Condition No. 5 (resulting in seven conditions).

Hardship Variance No. 7825: Applicant – Ken Beall, Beall and Company

Presented by: Gabriel Quintas, Assistant Planning & Code Enforcement Director

Recommendations: Staff recommends approval with no conditions.

Public Comment Period was opened and there were none.

Motion to Approve:

Mark Saxon

Second:

Chuck Horton

Voted in Favor of Motion:

Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon

Voted Against Motion:

None.

Action/Motion:

Motion Passed to Approve Hardship Variance No. 7825; Applicant-Ken Beall, Beall and Company; Owner-William G. and Kathryn D. Hayes; Zoning AG; ±1.31 Acres; Colliers Creek Road and Hilltop Road; to allow for a detached garage to be constructed in the front yard of a residential property.

Special Exception Variance No. 7790: Applicant – Abbey Garven

Presented by: Gabriel Quintas, Assistant Planning & Code Enforcement Director

Recommendations: Staff recommends approval with one (1) condition.

Public Comment Period was opened.

Abbey Garven, Sapphire Properties, spoke in favor of the request.

Public Comment Period was closed.

Motion:

Mark Saxon

Second:

Mark Thomas

Voted in Favor of Motion:

Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon

Voted Against Motion:

None.

Action/Motion:

Motion Passed to Approve Special Exception Variance No. 7790; Applicant-Abbey Garven; Owner-Sapphire Properties, LP; Zoning AG; ±0.36 Acres; Sims Drive; with one (1) condition.

Confirmation of Human Resources Director

Presented by: Justin Kirouac, County Administrator

Discussion: Requests a confirmation from the Board to move Sherry Seila from her current position of Acting Human Resources Director to Human Resources Director.

Motion:

Mark Thomas

Second:

Chuck Horton

Voted in Favor of Motion:

Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon

Voted Against Motion:

None

Action/Motion:

Motion Passed to Approve confirmation of Sherry Seila as the Human Resources Director.

Consent Agenda

No items were removed from the Consent Agenda.

Motion:

Chuck Horton

Second:

Mark Saxon

Voted in Favor of Motion:

Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon

Voted Against Motion:

None

Action/Motion:

Motion Passed to Approve Consent Agenda Items.

- 1) Approve FY20 Public Defender Indigent Services Agreement with a term to begin July 1, 2019 and expire June 30, 2020 in the amount of \$181,351.00.

- 2) Approve FY20 Property and Liability Insurance Proposal from ACCG-IRMA (Association County Commissioners of Georgia - Interlocal Risk Management Agency) in the amount of \$209,314.00.
- 3) Approve Acceptance of Right-of-Way Deed for Value Added Concepts, LLC, to Oconee County, 0.51 Acres, as shown on survey entitled "Final Plat for Value Added Concepts, LLC" dated January 16, 2019.
- 4) Approve Authorization of the Finance Director to Amend and Revise the FY2019 Budget.
- 5) Reconstitution of Land Use & Transportation Planning Committee to Long Range Transportation Study Task Force. Committee terms expiring September 30, 2019, will not be filled. Task Force will terminate at completion of the task.

Meeting Adjournment:

Meeting Adjourned: 7:19 p.m.

Motion: Wilkes

Second: Horton

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Bubber Wilkes, Mark Saxon

Voted Against Motion: None.

Action/Motion: **Motion Passed** to Adjourn the Meeting.

Chairman John Daniell

Kathy Hayes, County Clerk

Date: _____

Oconee County Memorandum

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Planning and Code Enforcement Department

DATE: June 28, 2019
TO: Oconee County Board of Commissioners
CC: Kathy Hayes
Gabriel Quintas
Deanna Ruark
FROM: Guy Herring, Director, Planning and Code Enforcement
RE: Text Amendments to Articles 4 and 5 of the UDC

Attached is a copy of the proposed amendments to Article 4 and Article 5 of the Unified Development Code for consideration at the July 2, 2019, BOC meeting.

In Article 4, the following edits have been made:

- Amended lot dimensional, road frontage, and size requirements
- Added maximum lot coverage requirements
- Consolidated tables into one master table

In Article 5, the following edits have been made:

- Replaced outdated terms and department labels with the updated terms and labels
- Amended limitations for special exception variances
- Modified minor subdivision allowances and MPD provisions

The Planning Commission considered the proposed amendments at the June 17, 2019, PC meeting. Recommendations from the Planning Commission are attached here, along with public comments and additional staff recommendations. Comments from the County attorney have been incorporated into the attached text and all changes have been highlighted. Please feel free to contact me if you have any questions or would to discuss the proposed amendments.

Number	Recommendation from Planning Commission	Staff Notes
1	Sec. 410.02.b.1: Change "personal recreational facility" to "private recreational facility"	Objection. Staff recommends striking "personal."
2	Sec. 402: Add the definition of conservation subdivision to the definitions section of Article 4	No objection
3	Page 4-10, footnote #10: replace current text with "Maximum building height for principal buildings may be increased up to 85 feet by Special Use Approval"	No objection
4	Sec. 508.01.6 and Sec. 506.15.o.1.f: Strike requirement for covenants to regulate and control signs	No objection

Number	Public Comment	Staff Notes
1	The new lot coverage maximums for commercial areas will be overly burdensome for developments that share stormwater facilities	Staff recommends the following footnote be added to Table 4.1: "For commercial developments with shared stormwater detention facilities, the average lot coverage for all parcels in the development may be used to determine compliance with maximum percent lot coverage."
2	Will there be a grandfather provision for previously zoned plans that would be binding and also previously zoned parcels that have an R-1 lot size of 30,000 sf?	Staff recommends the following footnote be added Table 4.1: "Properties (a) which were rezoned for a major subdivision prior to July 2, 2019, shall be permitted to be developed pursuant to the approved concept plan, specifically including, without limitation, the use of the minimum lot sizes allowed under the provisions of this ordinance as of July 1, 2019, and (b) those which were subject to an enforceable legal obligation to be purchased as of July 2, 2019, and which receive preliminary plat approval on or before December 29, 2019, shall be permitted to be developed using the minimum lot sizes allowed under the provisions of this ordinance as of July 1, 2019."

Number	Additional Staff Recommendations
1:	Sec. 407.01: Increase minimum lot frontage to 40 feet.