



PUTNAM COUNTY PLANNING & DEVELOPMENT

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Minutes

Thursday, September 07, 2023, ♦ 6:30 pm

Opening

1. Call to Order

Chairman John Mitchell called the meeting to order at 6:35 pm.

2. Attendance

Mrs. Courtney Andrews called the Attendance.

Present: Chairman Mitchell, Vice Chairman Maurice Hill, Member Charles Hurt, Member Harold Jones, Member Shad Atkinson

Staff: Attorney Adam Nelson, Director Lisa Jackson, Assistant Director Courtney Andrews

3. Rules of Procedures

Chairman John Mitchell read the Rules of Procedures.

Minutes

4. Approval of Minutes- 5/4/2023, 7/6/2023 and 8/3/2023

Motion: **Vice Chairman Hill** made the motion to approve the 5/4/2023, 7/6/2023 and 8/3/2023 P&Z minutes

Second: **Member Hurt**

Voting Yea: **Vice Chairman Hill, Member Hurt, Member Jones, Member Atkinson, Chairman Mitchell**

The minutes were approved by a vote of 5.

Requests

5. Request by **Shirley Ivester for a left and right-side yard setback variance at 178 Phillips Road. Presently zoned R-2. [Map 055A, Parcel 037, District 4]. Mr. Brian Ivester** represented this request.

Mr. Ivester stated that they took down a dilapidated manufactured home that they tried to modify, rebuild, and add on to. They purchased a new manufactured that they wanted to place in the same location. The old home was 52 feet wide and the new home is slightly larger, measuring 56 feet wide.

Chairman Mitchell asked if the proposed structure was a modular or manufactured home.

Mr. Ivester confirmed that it was a manufactured home.

Chairman Mitchell asked for the total square footage of the manufactured home.

Mr. Ivester stated that it was 1,474 square feet.

No one spoke in opposition of this request.

Member Atkinson stated that the dimensions of the manufactured home was 28X56, and totaled 1,568 square feet which needed a point of clarification.

Mr. Ivester stated that the house plans showed that the structure would be 1,474 square feet.

Member Atkinson stated that he is a professional land surveyor and had some issues with the measurements. The measurement of the lot is less than 75 feet wide and measured 73 feet wide instead. The mobile home is 56 feet wide and would leave 8.7 feet on each side. He added that he spoke with the applicant's surveyor to confirm his calculations.

Attorney Adam Nelson explained to the board that when a request for a variance is made they are not limited to the request on the application. The board would just need to make the change in the form of a motion.

Staff Recommendation was for approval of a 10.4-foot side yard setback variance, being 9.6 feet from the left and right-side property lines at 178 Phillips Road [Map 055A, Parcel 037, District 4].

Motion: **Member Atkinson** made the motion to approve a 11.3-foot side yard setback variance being 8.7 feet from the left and right-side property lines at 178 Phillips Road [Map 055A, Parcel 037, District 4].

Second: **Vice Chairman Hill**

Voting Yea: **Vice Chairman Hill, Member Hurt, Member Jones, Member Atkinson, Chairman Mitchell**

The motion was approved by a vote of 5.

6. Request by **Rick McAllister, Agent for Nell J. McDonald** to rezone 5.31 acres at 331 New Phoenix Road from AG to C-1. [Map 105, Parcel 016, District 1].* **Mr. Rick McAllister** represented this request.

Mr. McAllister stated that the rezoning application was presented on 3-21-23 and a letter was submitted to withdraw without prejudice and was approved by the board of commissioners. The plans changed from the original submittal. During his submittal period he discovered an error on the traffic study that reflected the original plan and resubmitted the updated traffic study to staff, after the submittal deadline period. He requested to table the request until the October 5, 2023 agenda.

Director Lisa Jackson read the staff recommendation.

The applicant submitted additional information to the application on Tuesday, September 5, which was two days prior to the regular scheduled public hearing. Sec. 66-161-(b)(3) of the Putnam County Code of Ordinance states: No application will be considered to have been made until such form(s) as described in subsection 66-161(c) herein have been completed and submitted to the planning and development department with the application fees as established by the board of commissioners and supporting materials as required under this article. Materials, documents, or evidence presented in favor of an application for zoning change must be submitted no later than the immediate Friday preceding the planning and zoning commission's consideration of the request and therefore this item cannot be considered on the September 7, 2023,

agenda. Therefore, staff recommendation is to defer this item until the October 5, 2023 regular scheduled public hearing, at 6:30 pm. in this same room, unless otherwise noted.

No questions from the Board

Motion: **Vice Chairman Hill** made the motion to approve the request to table the meeting until the October 5, 2023 regular scheduled public hearing.

Kristine Tarrer asked if those who signed up to speak in opposition could speak.

Attorney Nelson explained that the request is to table the item without having any documents or evidence heard. There is no public comments section on the agenda. The board could take the comments, but any information provided would not be a part of the record and be used in the future. The goal was to insure that staff had time to review all materials of the zoning request. Receiving comments would be premature. He suggested that if they did take comments, it would be done after their vote.

Kristine Tarrer stated that her comments were specific to the motion to table and asked that the request be deferred to November instead of October due to conflict.

Second: **Member Jones**

Member Jones asked staff what their thoughts were on moving the request to the November agenda and questioned why the request was needed.

Kristine Tarrer explained that she was the legal representative for the opponents, and she is unable to appear to the October meeting. Considering that it had been continued three times, they were asking for an additional month.

Director Jackson stated that she had no objection, and it was up to the board to make the decision.

Chairman Mitchell asked if changing the date would create a conflict for him.

Mr. McAllister stated that he would keep his request for the October 5, 2023 meeting.

Chairman Mitchell asked for clarity on how to proceed.

Attorney Nelson stated that if the meeting was set for November, it would be readvertised. He added that the purpose of the situation was to confirm that the record exists as it has been presented. In the past, items were relied upon for consideration without staff having an opportunity to review. This was something they did not do because the intention is to have a clear record. With respect to the vote, they could talk amongst themselves.

Vice Chairman Hill stated that the opponents should have the right to counsel and recommended to switch the item to the November meeting.

Motion: **Vice Chairman Hill** made an amended motion to table the request until the November 2, 2023 regular scheduled public hearing.

Second: **Member Jones**

Voting Yea: **Vice Chairman Hill, Member Hurt, Member Jones, Member Atkinson, Chairman Mitchell**

The motion was approved by a vote of 5.

New Business

None

Adjournment

Meeting adjourned at approximately 7:01 pm

Attest:

Lisa Jackson
Director

John Mitchell
Chairman