



PUTNAM COUNTY PLANNING & DEVELOPMENT

117 Putnam Drive, Suite B ♦ Eatonton, GA 31024

Tel: 706-485-2776 ♦ 706-485-0552 fax ♦ www.putnamcountyga.us

Minutes

The Putnam County Planning & Zoning Commission conducted a public hearing on Wednesday, June 10, 2020 at 6:30 p.m. in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

Opening

1. Call to Order

Putnam County Attorney Adam Nelson called the meeting to order.

2. Attendance

Attorney Adam Nelson called the roll.

PRESENT:

Vice Chairman Tim Pierson

Chairman James Marshall, Jr.

Member Maurice Hill, Jr.

Member Martha Farley

ABSENT:

Chairman James Marshall, Jr.

STAFF:

Lisa Jackson

Courtney Andrews

Adam Nelson, Putnam County Attorney

3. Rules of Procedures

Ms. Courtney Andrews read the Rules of Procedures.

Requests

Attorney Adam Nelson stated that the applicants have filed an application seeking two separate setback variances for proposed development on two parcels: Lot 104B011 and 104B012. However, after review of a 2018 zoning action involving these parcels, it was determined that lots 11, 12, 13, and 14, in order to receive RM-2 designation, we subject to a zoning condition that all such parcels be combined. As these parcels today have not been combined, the zoning conditions have not been met. Therefore the 2018 rezoning has been determined to be ineffective and void. As such, parcels 104B012, 104B013, and 104B014 are currently zoned R-1. Parcel 104B011 however, was previously zoned RM-2 and remains zoned RM-2 today. The item tonight shall only concern parcel 104B011. It is his understanding that the site plans for that lot have been amended to include a

request for the 35-foot lake side variance only. The variance request will only deal with lot 11.

4. Request by **Mark Smith, agent for Duke Gibbs** for a side and rear yard setback variance at 145 Collis Marina Road. Presently zoned RM-2. [**Map 104B, Parcel 011, District 3**]. **Attorney Jay Dell** represented this request. **Attorney Dell** stated that he is represent Mark Smith in his request for a variance. The original request was for a 10-foot side variance and a 35-foot rear yard variance. After reviewing this request and speaking with Ms. Jackson, they decided to withdraw the request for the 10-foot side yard variance. The only request they have is for the 35-foot rear yard variance. **Attorney Dell** showed the Planning and Zoning Board the updated site plan for his request. read the staff report and recommendation. He stated that they are modifying the request just for the 35-foot rear yard setback variance. They are proposing to stagger the buildings to better fit the footprint of this lot. **Attorney Dell** explained that when the applicant originally applied for the requests, two lots were being considered Map 104B Parcel 011 and Map 104B Parcel 012. However, it was discovered that there were conditions placed on the adjacent lots that they are supposed to be combined; the original plan was changed. **Attorney Dell** stated that he has filed a rezoning application for Map 104B Parcel 012 with the condition of that it be rezoned RM-2 with only Map 104B 011 and 104B 012 being combined. If the variance is approved for the subject lot, the applicant would like to move forward with the 5 buildings and then come back before the board for the rezoning of Map 104B 012. He stated that the ultimate project is 10 townhome units within 2 buildings. **Attorney Dell** addressed the concerns of parking stating that each unit would have a 2-car garage and an off-street parking pad. This project is directly across from the Enclave and will be similar in development. **Vice Chairman Pierson** asked if the project is contingent upon the rezoning of Map 104B Parcel 012. **Attorney Dell** responded no. He added that they can move forward with just the 1 5-unit building but prefers to have both lots to have the 10-units. There were no more questions. **Attorney Dell** requested to reserve his remaining time for rebuttal.

At this time, those who signed in to speak in opposition of the request were given the opportunity to speak.

Pete Wardlaw

John Culpepper

Mark Street

Carl Anderson

Ron Carter

Wallace Wright

At this time, **Attorney Dell** was able to use the remainder of his time for rebuttal. He stated that there were a lot of concerns that were brought up but he wants the board to understand that this property is already zoned RM-2. This property was not part of the 2018 rezoning. He addressed the concerns of the access and easement. **Attorney Dell** stated that the easement is where it is and can not be moved. They will improve the gravel driveway into a concrete driveway with a hard surface. He added that he disagrees that this townhome development is placed within single family home development due to the condominium complex being located directly across from the proposed development. **Attorney Dell** feels as though the other 3 properties were spot zoned instead. He assured Mr. Anderson that they will not have to cross his property for access to this development. He addressed Mr. Street stating that there

were no conditions set on the subject property for buffers. **Vice Chairman Pierson** asked Attorney Dell to explain the length and width of the road they will be responsible for. Attorney Dell stated that the road is going to be about 22 feet wide with 2 lanes of traffic. The road would start at Collis Marina Road and would consist of about 40 or 50 feet of improvement. Member Hill asked if the improvement would be made to the gravel driveway. Attorney Dell responded saying improvements would be made down to his properties and would not improve neighboring properties. Member Hill asked what the zoning class was for the other 3 properties. Attorney Dell stated that he was under the impression that the lots were zoned RM-2 with the condition of them being combined with Map 104B 011. He added that it's in a gray area now because the lots were not combined. Attorney Nelson stated that with respect to the county position, those parcels are more than like to be considered R-1 (parcels 012, 013, and 014), reverting to the initial zoning. Vice Chairman Pierson asked Attorney Nelson if the request was considered in a correct manner from a legal standpoint. Attorney Nelson responded saying yes. With respect to what is being considered, it is only a variance request for lot 11. There will be no variance granted for lot 12. With respect to the rezoning of lot 12, it will be brought before the board and advertised. The only question for this hearing is whether the variance will be granted. Vice Chairman Pierson asked Attorney Dell if this project was all or nothing. Attorney Dell stated that he did not have an answer and would have to look at the economics of the situation to see if they could move forward with just one building. Vice Chairman Pierson asked if there was any precedent of having a traffic study done. Attorney Nelson stated that with respect to lot 11, this property was already zoned RM-2. With a variance, a traffic study is not needed.

Mr. Wardlaw asked if the applicants need to show on their plat the request. **Ms. Jackson** stated that this hearing is specifically for the variance request and not the approval of the plat. **Attorney Nelson** stated that the building does not have to look exactly like what is displayed. It must meet the setbacks that are allowed. **Vice Chairman Pierson** stated that he felt that the items should be heard as one.

Vice Chairman Pierson made a motion to table the request by **Mark Smith, agent for Duke Gibbs** for a side and rear yard setback variance at 145 Collis Marina Road.

Second by **None, motion dies**

Although the applicants are seeking a 10-foot side yard setback variance, being 10 feet from the left side property line when facing the lake, and a 35-foot rear yard setback variance being 65 feet from the nearest point to the lakes, staff recommendation is for denial of a 10-foot side yard setback variance, being 10 feet from the left-side property line when facing the lake, and approval a 35-foot rear yard setback variance, being 65 feet from the nearest point to the lake at 145 Collis Marina Road [104B, Parcel 011, District 3].

Motion to approve the request by **Mark Smith, agent for Duke Gibbs**, per staff recommendation, for a 35-foot rear yard setback variance, being 65 feet from the nearest point to the lake at 145 Collis Marina Road made by **Member Farley**, Seconded by **Member Hill**

Voting Yea: **Vice Chairman Pierson, Member Hill, Member Farley**

New Business

None

Adjournment

Motion to adjourn the meeting made by **Vice Chairman Pierson**, Seconded by **Member Hill**
Voting Yea: **Vice Chairman Marshall, Member Hill, Member Farley**

The meeting adjourned at approximately 7:29 p.m.

Attest:

Lisa Jackson
Director

Tim Pierson
Vice Chairman