



PUTNAM COUNTY PLANNING & DEVELOPMENT

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Minutes

The Putnam County Planning & Zoning Commission conducted a public hearing on Thursday, December 5, 2019 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 Barry Fleming called the meeting to order.

2. Attendance

Ms. Lisa Jackson called the roll.

PRESENT:

Member Joel Hardie

Member Maurice Hill, Jr. (not eligible for voting due to training requirements)

Member Martha Farley

Member Tim Pierson

ABSENT:

Chairman James Marshall, Jr.

STAFF:

Lisa Jackson

Courtney Andrews

Lynn Butterworth

Larry Kaiser

3. Rules of Procedures

Ms. Courtney Andrews read the Rules of Procedures.

Minutes

4. Approval of Minutes – November 7, 2019

Motion to approve the November 7, 2019 minutes made by Member Hardie, Seconded by Member Pierson

Voting Yea: Member Farley, Member Pierson, Member Hardie

5. Request by **Chad & Meghan Shaw** for a side yard setback variance at 260 Anchor Pointe Drive. Presently zoned R-2. **[Map 053B, Parcel 004, District 4]**. **Mr. Shaw** represented this request. He stated that he is requesting a side yard variance to extend 18 feet to the right side of his current home. Mr. Shaw added that he is using the existing footprint so that he does not obstruct his neighbors view of the lake. He stated that he purchased the home so that he could

be next door to his parents. Mr. Shaw specified that there is not much room in the 987 square foot home for he and his family and the addition would give him the space he needs. **Ms. Jackson** stated that this is a nonconforming home however, upon review of the property, staff concluded that 15 feet would be better than further encroachment of the setback. **Member Pierson** asked staff if they worked with Mr. Shaw on changes of the layout of his house. **Ms. Jackson** stated that staff goes out and takes a detailed look at the property. Upon observation, staff discovered that with the distance from the property line and the adjacent house, it was a better fit to be 15 feet from the property line instead of the requested 13 feet. **Member Pierson** asked Mr. Shaw if he could see the designs of the house. **Member Hardie** asked Mr. Shaw if the addition would be on the side where his parents' home is located. **Mr. Shaw** stated that the addition would be on the side facing the Treadway property to not obstruct the view of his parents or the Treadways. **Member Hill** asked if the addition was placed on the same side where the septic is located. **Mr. Shaw** responded yes. No one spoke in opposition of this request.

Although the applicants are seeking a 7-foot side yard setback variance, being 13 feet from the right side property line when facing the lake, staff recommendation is for approval of a 5-foot side yard setback variance, being 15 feet from the right side property line when facing the lake at 260 Anchor Pointe Drive [Map 053B, Parcel 004, District 4].

Motion to approve the request by **Chad & Meghan Shaw**, per staff recommendation, for a 5-foot side yard setback variance being 15 feet from the right-side property line when facing the lake at 260 Anchor Pointe made by Member Pierson, Seconded by Member Hardie
Voting Yea: Member Farley, Member Pierson, Member Hardie

6. Request by **Jonathan Hill, agent for Yancy & Angela Houston** for a side yard setback variance at 236 Eagles Way. Presently zoned RM-3. **[Map 103B, Parcel 043026, District 3]. Item has been removed from the agenda.**
7. Request by **Gene Holder** to rezone 10.23 acres at 341 Firetower Road from AG-1 to R-2. **[Map 002 Parcel 014003, District 1].** * Mr. Holder represented this request. He stated that he is currently living with his son and his son's wife on the subject property. Mr. Holder added that he would like to have the property rezoned in order to add a home on the property for himself. No one spoke in opposition of this request.

Staff recommendation is for approval to rezone 10.23 acres at 341 Firetower Road [Map 002, Parcel 014003, District 1] from AG-1 to R-2.

Motion to approve the request by **Gene Holder** to rezone 10.23 acres from AG-1 to R-2 at 341 Firetower Road made by Member Pierson, Seconded by Member Hardie
Voting Yea: Member Farley, Member Pierson, Member Hardie

Attorney Barry Fleming stated that items 8,9,10, and 11 are together and have the same proponents as well as opponents. Although votes will be done separately, the items will be discussed as a group unless there are any objections for the commissioners. Attorney Fleming added that there are certain time allocations for those who are for and against. There are 3 persons signed up to speak in favor of this request. He will ask who the primary proponent will be, and they will receive up to 10 minutes to speak. The other proponents will receive 3

minutes each to speak. Attorney Fleming stated that those signed up to speak against the request, can decide amongst themselves who would be the primary spokesperson. That person will receive up to 10 minutes to speak as well. He specified that if there is no one spokesperson, everyone will receive 3 minutes each to speak. Attorney Fleming asked if anyone had any questions about the guidelines he provided. No one had questions. He moved on to the 3 proponents: Mr. Howard McMichael, Josh Sprayberry, and Lauren Sprayberry. Attorney Fleming asked of the 3, who would be the primary spokesperson. **Mr. Josh Sprayberry** stated that he and his wife were neighbors of the community and were only there to listen and get information. Neither Mrs. Lauren Sprayberry or Mr. Josh Sprayberry wished to speak. **Mr. Howard McMichael, Jr.** stated that he would be the spokesperson. **Attorney Fleming** assured Mr. Michael that he would receive up to 10 minutes to speak.

8. Request by **Howard McMichael, Jr. agent for Millicent Arnold & Lawrence A. Copelan Jr.** to rezone 2.14 acres on Collis Road from R-1 to RM-3. [**Map 104, Parcel 030, District 3**]. * **Mr. McMichael** represented this request. He stated that there is one property that he owns and three other properties that front the water that will be put together. He added that he is the agent for the owners of the three waterfront properties. Mr. McMichael stated that they are proposing to rezone to RM-3 to develop a total of 124 townhome units. Of the 124 units, 6 of the buildings will have 4 units and 20 of the buildings will have 5 units. He added that he spoke with Piedmont Water Company and there will be water and sewer on the property. This project will reflect that of The Peninsula and will be a gated community. The amenity and green space area will be larger than The Peninsula. Mr. McMichael stated that the units will be placed back 100 feet from the road with anticipation of issues with Collis Road. **Member Pierson** asked if Mr. McMichael could explain the traffic study. **Mr. McMichael** responded saying that the road has been the way it is for years. He added that there were multiple developments added to this community and the road has never been updated and has never been adequate to any of the county's qualifications. **Mr. Pierson** specified his questing asking what the volume of traffic would be for the 124-unit community and if he anticipated each unit having 2 cars. **Mr. McMichael** responded say that he anticipates 2 cars per unit. Attorney Fleming asked the board if they had any additional questions. There were none. He reassured Mr. McMichael that he had 8 minutes left for rebuttal.

Attorney Barry Fleming recapped that if the opposing side elected a main spokesperson, that person would be allowed 10 minutes to speak. Attorney Fleming added that if they have not done so, they will proceed with each person having 3 minutes each. He asked again if anyone would like to be the spokesperson and no one stood up to do so. At this time, those who signed in to speak in opposition of the rezoning request on Collis Road and Doug Lane, were given 3 minutes each to speak.

Ron Ryland
Bill Richards
Jane Richards
Kitty Burgess
Steve Burgess
Mark Street
Fancia Harris

At this time, Mr. McMichael was able to use the remainder of his minutes for rebuttal.

Mr. McMichael stated that as a neighbor of the community himself, he understood the concerns of those who spoke in opposition of the request. He clarified that the project will not consist of condos. The townhomes will have covenants on the properties. There will be rental restrictions. Mr. McMichael added that they don't want to cross individual rights of never being able to rent their property but, this will never be an apartment complex. At the time he built Chapel Springs, the R-1 zoning was the best option for that particular property. Mr. McMichael stated that if it was financially feasible, the subject properties would be the same. The numbers did not work out financially. The layout of the subject property will have more green space and setbacks. Mr. McMichael stated that the road on Doug Lane is inadequate in terms of traffic. Collis Road has needed to be widened for many years. He added that was the purpose of moving the project back 100 feet, anticipating some work being done on the road. Mr. McMichael stated that of the property they control, they are willing to donate a portion to the county for a turning lane and etc. He added that it is beyond their realm to control from the start of their property to Wards Chapel. **Mr. McMichael** asked if the board had any other questions. **Member Pierson** asked what the time frame was for the start to finish buildout. **Mr. McMichael** responded saying he estimates 3 years. **Member Pierson** asked what the cost would be for each unit. **Mr. McMichael** responded saying \$500,000 to \$600,000. **Member Pierson** asked if an environmental study of the code had taken place or looked in to. **Mr. McMichael** responded saying he is not aware of any. He added that Georgia Power controls the shoreline. The docks will favor that of The Peninsula. **Attorney Fleming** asked if any of the commissioners had any further questions. There were none. **Mr. Ron Ryland** stood up. **Attorney Fleming** asked Mr. Ryland why he stood up. **Mr. Ryland** stated that he was waiting for one of the commissioners to ask who the developer of the proposed project was and if they have ever done this before. **Attorney Fleming** allowed Mr. McMichael to come back to the mic and answer the question. **Mr. McMichael** stated that he was the developer and he has done this before. **Mr. Ryland** asked Mr. McMichael if he has ever developed 124 units. **Mr. McMichael** responded saying no. **Attorney Fleming** stated that he was trying to be helpful by letting as many questions get answered but there has to be some order for the proceedings. He then asked the Director of Planning and Development, Lisa Jackson, how she would like to proceed. **Ms. Jackson** stated that she would like for the County Engineer, Larry Kaiser, to share his findings. Mr. Kaiser stated that he is the president of Collaborative Infrastructure Service Inc., a civil engineering consulting firm with offices in Conyers and Atlanta. He added that he has provided engineering services to the county for 9 or 10 years. Mr. Kaiser stated that he had an opportunity to get a visual analysis of Collis Road and recognized a number of deficiencies along that road. He added that the road has been measured by the Head of the Road Department, Tony Clack, as well as himself. Upon measuring, it was discovered that there are various areas that measure less than 20 feet. Mr. Kaiser said that is a concern for any additional traffic on that road. Though is not sure of the pavement depth, he is sure that this is a country road that is less than standard with no shoulders and a very narrow ditch line. Widening the road could be problematic. If widening is done, it may have to be done asymmetrically on both sides of the road to get the minimum 20 feet. Mr. Kaiser stated that adding 75% more traffic on that road could cause potential issues with more cars going off the edge of the road with no shoulders to provide safety to the motoring public. He added that the narrowness of the road is the issue. Mr. Kaiser mentioned that one of the speakers in opposition of the request stated that there is not enough sight distance at the intersection of Collis Road and Wards Chapel. He confirmed that there is an adequate amount of sight distance however, there is a lack of a turning radius tuning on to both Wards Chapel and Collis Road. Mr. Kaiser specified that the intersection radius is a

major issue. For this type of road, a 25-foot radius is need on each corner to allow safe movement. In order to put in the radius, the culvert must be extended, and ditch work must be done. He added that with there being storm water runoff that is going to deposit into the lake. He mentioned that the developer added a detention pond to their preliminary plat, but he recommends a quality detention pond instead of a dry detention pond. The quality detention pond will take care of the environmental issue. Mr. Kaiser stated that they did no investigation of the fish and wildlife in that area but that is something EPD can look into. He observed the site and didn't notice any sensitivity to wildlife. He added that he is more concerned with the storm water runoff than a protective species. He stated that didn't see any streams nor wetlands on this high land site. With the site being high off the ground, there will be runoff going into the lake. **Mr. Kaiser** confirmed that if there are a protective species on this site, the owners are required by law to mitigate those issues. **Ms. Jackson** clarified that in regard to the storm water issue, it will be covered in the preliminary plat review which does not affect the staff recommendation. **Mr. Kaiser** stated that with there being 1,000 feet of road frontage on Mr. McMichael's property, there is an opportunity to widen the road to beyond the 20-foot minimum to 22 feet adding shoulders as well as a ditch line to the front of Mr. McMichael's property. He clarified that when an increased volume of traffic is added on a narrow rural road, with limited right of way and no shoulders, a traffic issue is developed. **Mr. Kaiser** stated that a left turn lane, entering the site, would be of no value. Left turning lanes would help prevent heavy traffic and rear end collisions. He added that he does not believe there is a need for the left turn lane. He stated that he is more concerned with the road width and shoulders. **Attorney Fleming** asked if the commissioners had any other questions for **Mr. Kaiser**. **Member Pierson** asked if in the areas of the road that can't be fixed, does it make the proposed project risky. **Mr. Kaiser** stated that he has worked on many dirt roads and it is always a risk when more traffic is added to a road with deficient roadway width. **Member Pierson** asked if the 20-foot road width was acceptable. **Mr. Kaiser** clarified that in a subdivision, there is 22 feet with curb cuts. There are roads that measure 17 to 18 feet that need to be a minimum of 20 feet with no exceptions. **Attorney Fleming** stated that Mr. Tony Clack, the Putnam County Road Superintendent, viewed the property and could answer questions. **Mr. Clack** introduced himself and stated that he measured multiple spots on the road for width. At the entryway into the property, he measured 20 feet. As he moved up or down the property, he measured some places as 18 feet and others at 19 feet. Mr. Clack stated that this road was once a dirt road and was covered in pavement. He added that he took measurements roughly from the right of way to the center of the road, as well as to each fence line. In some areas he measured, 27, 28, and 29 feet. Mr. Clack clarified that there is no space to add anything. He apologized to the neighbors of the community for the issues with cutting the grass in that area. He added that he was at the site around 5pm and saw traffic in the area. Mr. Clack stated that if the developer could add some width with the 1,000 feet of road frontage that he has, it would help. He confirmed that there are issues on the road and always have been issues there. **Mr. Clack** stated that unless other property owners are wiling to sell the property that extends towards Wards Chapel, the road will stay as it is. **Attorney Fleming** thanked Mr. Clack. Mr. Kaiser stated that there are a lot of issues that were presented. He recommended that himself and Mr. Tony Clack, revisit the site and provide very distinct cost numbers for the improvements, and bring the information back to the commission the following month. **Attorney Fleming** clarified Mr. Kaiser's recommendation that the meeting would be tabled until the following month, allowing Mr. Kaiser and Mr. Clack to gather more information. Attorney Fleming communicated to Mr. McMichael that this was not the written staff recommendation and he would allow him to address this decision. Mr. McMichael stated that the road is what it is, and it is a county issue. He added the townhome development is not

detrimental to anyone. Mr. McMichael stated that he believes that it will benefit the neighbors and the county. He added that there is an issue with the time frame of having the project approved, rezoned, and closed before the end of the year so that the funds will still be available. Mr. McMichael stated that on the property that they do have control over, they are willing to give the county 20 additional feet and push their entrance back further. He added that he has no control over the other properties and can not make the property owners widen the road. Attorney Fleming asked the commissioners if they had any other questions for Mr. McMichael. There were none. Attorney Fleming stated that he usually would not allow Mr. McMichael to come back up to speak but, with the staff recommendation changing after additional information was given, he allowed Mr. McMichael leniency. He confirmed that he was not allowing further testimony. Attorney Fleming asked the commissioners if they had any other questions for staff. There were none. He explained that there can be a motion to approve the rezoning of the 4 items, motion to disapprove the rezoning, or table the items until the next meeting.

Staff recommendation is to table the request on Collis Road [Map 104, Parcel 030, District 3].

Motion to table the request by **Howard McMichael, Jr. agent for Millicent Arnold & Lawrence A. Copelan Jr.** to rezone 2.14 acres from R-1 to RM-3 made by Member Farley, Seconded by Member Pierson
Voting Yea: Member Farley, Member Pierson, Member Hardie

9. Request by **Howard McMichael, Jr., agent for HJR Oconee, LLC** to rezone 50.8 acres on Collis Road from AG-1 to RM-3. **[Map 104, Parcel 032, District 3]. ***

Staff recommendation is to table the request on Collis Road [Map 104, Parcel 032, District 3].

Motion to table the request by **Howard McMichael, Jr., agent for HJR Oconee, LLC** to rezone 50.8 acres from AG-1 to RM-3 made by Member Farley, Seconded by Member Pierson
Voting Yea: Member Farley, Member Pierson, Member Hardie

10. Request by **Howard McMichael, Jr., agent for Millicent Arnold & L.A. Copelan Jr.** to rezone 0.63 acres on Doug Lane from R-1 to RM-3. **[Map 104B, Parcel 001, District 3]. ***

Staff recommendation is to table the request on Doug Lane [Map 104B, Parcel 001, District 3].

Motion to table the request by **Howard McMichael, Jr., agent for Millicent Arnold & L.A. Copelan Jr.** to rezone 0.63 acres from R-1 to RM-3 made by Member Farley, Seconded by Member Pierson
Voting Yea: Member Farley, Member Pierson, Member Hardie

11. Request by **Howard McMichael, Jr., agent for Millicent Arnold & L.A. Copelan Jr.** to rezone 3.5 acres on Collis Road from R-1 to RM-3. **[Map 104, Parcel 033, District 3]. ***

Staff recommendation is to table the request on Collis Road [Map 104, Parcel 033, District 3].

Motion to table the request by **Howard McMichael, Jr., agent for Millicent Arnold & L.A. Copelan Jr.** to rezone 3.5 acres from R-1 to RM-3 made by Member Farley, Seconded by Member Pierson

Voting Yea: Member Farley, Member Pierson, Member Hardie

Attorney Fleming stated that the 4 items would be tabled until the January 2, 2019 Public Hearing Meeting.

New Business

None

Adjournment

The meeting adjourned at approximately 7:53 p.m.

Following the adjournment of the meeting, the date of the next meeting was questioned and discussed. Planning & Zoning Commissioners agreed to a special called meeting on December 30, 2019 at 6:30 pm to hear this issue.

Attest:

Lisa Jackson
Director

James Marshall, Jr.
Chairman