



**Columbia County Planning Commission
May 6, 2021 at 6:00 PM
Evans Government Center Auditorium
Evans, Georgia**

Present at the meeting included:

Chairman Jim Cox
Commissioner Russell Wilder
Commissioner Gene Futch
Commissioner Al Dempsey

Scott Sterling, Division Director
Will Butler, Planning Manager
Nayna Mistry, Community Planner
Danielle Montgomery, Planner II
Jennifer Neal, Planning Technician
Cara Harden, Administrative Specialist
Members of the Public

A. CALL TO ORDER

Chairman Cox called the meeting to order at 6:00p.m.

B. INVOCATION

Commissioner Wilder gave the invocation.

C. PLEDGE OF ALLEGIANCE

Commissioner Futch led the pledge to the American Flag.

D. ROLL CALL / QUORUM

Chairman Cox declared a quorum with 4 Commissioners present (80% Quorum). Vice-Chairman Henderson absent.

E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING

(E1) April 15, 2021

Commissioner Futch made a motion to approve the April 15, 2021 meeting minutes. Commissioner Wilder seconded the motion. The motion carried unanimously.

F. APPROVAL OF THE AGENDA

Commissioner Futch made a motion to approve the May 6, 2021 Agenda. Commissioner Wilder seconded the motion. The motion carried unanimously.

G. PRESENTATION

Chairman Cox gave a brief description of the Planning Commission's role in the rezoning and variance process for the public's edification. Chairman Cox stated: "Before we begin, I'd like to take a moment to clarify that the Planning Commission is a recommending body to the Columbia County Board of Commissioners. The decisions made on rezoning & variance requests tonight will be forwarded to the Commissioners for final action on May 18, 2021. If you wish to address the Board of Commissioners at their meeting, please see Ms. Cara Harden to obtain a Request to Speak form."

H. DEBATE AGENDA

(H1) Unfinished Business

(H1a) Major Revision

(H1a1) RZ21-03-06, Major PUD (Planned Unit Development) Revision, Tax Map 071G Parcel 015, 0.4+/- acres, located at 4502 Guildford Court, and currently zoned PUD (Planned Unit Development). **Postponed from the March 18, 2021 and April 15, 2021 meetings.**

Staff member Nayna Mistry stated the following:

- This is a request for a Major PUD Revision for property located at 4502 Guildford Court on 0.4 +/- acres.
- The applicant is requesting a reduction in building setbacks for new and existing structures and specifically for adding a new accessory structure.
- The subject property is located in Phase 1 of Stratford, which is a residential subdivision located off Hardy McManus Road, currently zoned PUD.
- The plat of the property shows a 10 foot strip of HOA property that is along Aylesbury Drive.
- The side setback is 10 feet and there is a 20 foot drainage and utility easement over the existing sewer line.
- The utility department has marked the sewer line out so the applicant can see where the 10 foot requirement is.
- The proposed accessory structure is noted on the permit as 24 feet by 44 feet (1,056 square feet).
- At the site visit, the applicant measured out these dimensions but decided to make it smaller in both directions due to the location of the sewer line and to maintain adequate space along the angled fence line.
- This item was postponed from the March 18, 2021 and April 15, 2021 meetings in order to get an as built of the property.
- The survey shows the applicants fence within the HOA strip.
- The applicant is working to fit his proposed building so that the setback along Aylesbury would be a 5-10 foot encroachment.
- The HOA Board had requested the applicant sign a liability waiver to allow his fence to remain on their property.
- However, as of today, the HOA Board has provided a letter requesting the applicant to move his fence back onto his property.
- Staff's recommendation was to postpone since we had not received the information from the HOA Board about the fence at the time the report was written.

Chairman Cox stated this was a public hearing and asked if the applicant was present.

Gary Carter, 4502 Guildford Court:

- Originally submitted the request in 2020 for a detached building that was approved by the HOA.
- We learned at the time of permits that we would need a variance.

Planning Commission questions/comments/concerns:

Chairman Cox questioned the applicant about the requirement to provide architectural plans.

Gary Carter answered that he did not know until today that he would need to provide the HOA Board with architectural requirements.

Chairman Cox questioned staff whether this request would still be needed if the applicant were to simply move his fence back onto his property.

Staff member Danielle Montgomery answered he would still need a variance for the height of the fence and the setbacks for the building addition.

Gary Carter explained Stratford's requirements for building a fence and informed the Commission that the HOA Board approved the location of the fence to replace the previous split rail fence five years ago. The HOA Board is requesting for me to sign a liability waiver for the fence.

Chairman Cox explained the need for a liability waiver to Mr. Carter and that he needs to get with his lawyer to provide that letter.

Commissioner Dempsey commented that the information Mr. Carter is explaining does not pertain to the item being presented to the Planning Commission.

Staff member Danielle Montgomery responded that he will still need to go through this process to receive a variance for the setbacks and fence height. The location of the fence needs to be worked out with the HOA Board. However, the letter we received from the HOA Board today was requesting Mr. Carter to move his fence back onto his property line.

Chairman Cox questioned staff whether we need a resolution between the applicant and the HOA Board before moving forward.

Staff member Will Butler answered yes. We could either request for them to work out the fence location before moving forward; or we could tell them a timeframe to work out the location before the Board of Commissioner's meeting.

Chairman Cox advised the applicant to withdraw without prejudice to give him time to work everything out with the HOA Board.

Gary Carter requested to withdraw without prejudice.

Chairman Cox stated this was a public hearing and asked if there was anyone to speak for or against the Major Revision.

Ardelle Molnar, 4582 Aylesbury Court:

- Architectural Chair for the HOA Board.
- Our records indicate that he requested to have a packaged shed delivered to construct on his property in 2017.
- He requested to pour a slab to build a larger shed in place of the existing shed in 2019.
- However, upon site visit with staff, we learned that he was building a large building, much larger than a shed.
- There was some confusion about the location of the fence and there is no record of the fence being approved.
- Explained Stratford's requirements to build a fence.
- The split rail fence was an HOA fence on HOA property. The HOA decided to remove the fence once it was in disrepair. Some of the residents requested to keep it, but with the understanding they would have to maintain it, but that it was still an HOA fence.
- All privacy fences are on their own properties; other than Mr. Carter's.
- We have not had much communication from Mr. Carter other than the emails with staff. We have not received a liability waiver from him. Therefore, the HOA Board voted today to require him to move the fence onto his property.

Chairman Cox stated this was a public hearing and asked if there was anyone else to speak for or against the Major Revision. Hearing none, he closed the public hearing and called for a motion.

Commissioner Futch made a motion to withdraw without prejudice RZ21-03-06, Major PUD (Planned Unit Development) Revision, Tax Map 071G Parcel 015, 0.4+/- acres, located at 4502 Guildford Court, and currently zoned PUD (Planned Unit Development). Commissioner Dempsey seconded the motion. The motion carried unanimously.

(H2) New Business

(H2a) Temporary Use Authorization

(H2a1) Temporary Use Authorization, Tax Map 035B Parcel 063, 1.00+/- acres, located at 6320 Keg Creek Drive, and currently zoned R-4 (Recreational Residential).

Staff member Jennifer Neal stated the following:

- This is a request for a temporary use authorization for 6320 Keg Creek Drive on 1.00 +/- acres currently zoned R-4 (Recreational Residential).
- The applicant has applied for building permits and has already begun construction on the residence.

- The applicant is requesting to place a 36 foot travel trailer on the property to use as a secondary residence on the weekends and occasionally throughout the week during construction of the home.
- Staff recommends approval.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Wilder made a motion to approve Temporary Use Authorization, Tax Map 035B Parcel 063, 1.00+/- acres, located at 6320 Keg Creek Drive, and currently zoned R-4 (Recreational Residential). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2a2) Temporary Use Authorization, Tax Map 016 Parcel 049, 6.05+/- acres, located at 6941 Cottonwood Drive, and currently zoned R-A (Residential Agricultural).

Staff member Jennifer Neal stated the following:

- This is a request for a temporary use authorization for 6941 Cottonwood Drive on 6.05 +/- acres currently zoned R-A (Residential Agricultural).
- The applicant is requesting to place a 37 foot travel trailer on the property to use as a residence during construction of the permanent home.
- Staff recommends approval.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Futch made a motion to approve Temporary Use Authorization, Tax Map 016 Parcel 049, 6.05+/- acres, located at 6941 Cottonwood Drive, and currently zoned R-A (Residential Agricultural). Commissioner Wilder seconded the motion. The motion carried unanimously.

(H2a3) Temporary Use Authorization, Tax Map 001A Parcel 049, 0.73+/- acres, located at 7478 Lakeside Drive, and currently zoned R-4 (Recreational Residential).

Staff member Jennifer Neal stated the following:

- This is a request for a temporary use authorization for 7478 Lakeside Drive on 0.73 +/- acres currently zoned R-4 (Recreational Residential).
- The applicants recently purchased 7478, 7476, and 7436 and have indicated they are in the process of having the 3 lots combined.
- The applicant is requesting to place a 36 foot travel trailer on the property at 7478 Lakeside Drive to use as a secondary residence during construction of the permanent home on 7436 Lakeside Drive.
- The applicants have indicated they plan to place the travel trailer on the property as soon as possible and are awaiting approval of the temporary use authorization.
- Therefore, the combined plat will not be approved beforehand.
- The travel trailer must meet the building setbacks for the property at 7478 Lakeside Drive since the lots are not currently combined.
- Staff recommends approval.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Wilder made a motion to approve Temporary Use Authorization, Tax Map 001A Parcel 049, 0.73+/- acres, located at 7478 Lakeside Drive, and currently zoned R-4 (Recreational Residential). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2b) Minor Waiver

(H2b1) MW21-05-01, Minor Waiver, Tax Map 077C Parcel 019, 0.25 +/- acres, located at 106 Shaw Street, and currently zoned C-2 (General Commercial). **Presented as Information Only.**

Staff member Jennifer Neal stated the following:

- This was a request for a minor waiver at 106 Shaw Street on 0.25+/- acres and currently zoned C-2 (General Commercial).
- The request is for a reduction to the front setback along Shaw Street to 53 feet from the centerline.
- Approved by staff on April 19th, 2021.

(H2c) Conceptual Plan

(H2d) Provisional Home Occupation

(H2d1) Provisional Home Occupation for R Garrard Properties, LLC, Tax Map 029 Parcel 010A, 4.33+/- acres, located at 1781 Lonergan Hulme Road, and currently zoned R-A (Residential Agricultural).

Staff member Jennifer Neal stated the following:

- This is a request for a Provisional Home Occupation located at 1781 Lonergan Hulme Road on 4.33 +/- acres currently zoned R-A (Residential Agricultural), in order to utilize a small room in an existing barn for storage of replacement parts and equipment needed for maintenance of leased units.
- The property is located on the northeast side of Lonergan Hulme Road, north of Natures Way off Appling Harlem Road in Appling.
- The applicant is proposing to utilize an 8x10 room in an existing barn for storage of a few small replacement parts, a couple window A/C units, and a few cans of paint needed for maintenance of leased units.
- All repairs and maintenance are performed at the individual properties.
- Materials are purchased for each particular project and used immediately with the exception of the few minor replacement parts and materials previously mentioned.
- Office operations are performed within the main house consisting of a small desk, utilizing less than 20% of the square footage of the house.
- All communication with the tenants is completed via mail, internet, and phone.
- The applicant has one company vehicle used to commute to the leased properties to perform maintenance at the necessary locations each day.
- Staff recommends approval.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Dempsey made a motion to approve Provisional Home Occupation for R Garrard Properties, LLC, Tax Map 029 Parcel 010A, 4.33+/- acres, located at 1781 Lonergan Hulme Road, and currently zoned R-A (Residential Agricultural). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2e) Final Plat

(H2e1) Final Plat for Jackson Heights Phase 1, Tax Map 068 Parcel 006E, 95 lots, 39.86 +/- acres, located Off Old Belair Lane, and currently zoned PRD (Planned Residential Development).

Staff member Danielle Montgomery stated the following:

- This is a request for a final plat for 95 residential lots on 39.86 acres located off Old Belair Lane currently zoned PRD (Planned Residential Development).
- The final plat for this section includes 95 lots with a minimum lot size of 7,150 square feet.
- This section includes 36 alley-loaded lots with setbacks of 10 feet from the front and rear property lines; all other lots have a minimum setback of 25 feet from the right of way and 10 feet from the rear property lines.
- Side setbacks are a minimum of 7.5 feet.
- 50-foot buffers are provided against the Lake Royal subdivision to the north, the Sugarcreek subdivision to the west, and against I-20 to the south.

- A 15-foot buffer is provided against the denser Birchfield neighborhood to the east.
- Sidewalks are provided on both sides of the roads, and 9.61 acres of open space is provided in this section.
- Staff recommends approval.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Wilder made a motion to approve the Final Plat for Jackson Heights Phase 1, Tax Map 068 Parcel 006E, 95 lots, 39.86 +/- acres, located Off Old Belair Lane, and currently zoned PRD (Planned Residential Development). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2e2) Final Plat for Crawford Creek VIII-B, Tax Map 067 Parcel 2310, 84 lots, 34.72+/- acres, located Off William Smith Boulevard, and currently zoned PUD (Planned Unit Development).

Staff member Danielle Montgomery stated the following:

- This is a request for approval of a final plat for 84 residential lots on 34.72 acres located off William Smith Boulevard and currently zoned PUD (Planned Unit Development).
- The final plat for this section includes 84 lots with a minimum lot size of 5,433 square feet and an average lot size of 8,295 square feet.
- Setbacks are a minimum of 18 feet from the right of way. Side and rear setbacks are a minimum of 10 feet from the rear property lines per zoning conditions.
- Sidewalks are provided on both sides of the roads, and 14.61 acres of open space is provided in this section.
- Staff recommends approval.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Futch made a motion to approve the Final Plat for Crawford Creek VIII-B, Tax Map 067 Parcel 2310, 84 lots, 34.72+/- acres, located Off William Smith Boulevard, and currently zoned PUD (Planned Unit Development). Commissioner Wilder seconded the motion. The motion carried unanimously.

(H2e3) Final Plat for Swint Farm Estates, Tax Map 040 Parcel 063 (Portion of), 11 lots, 29.56 +/- acres, located Off Swint Road, and currently zoned R-A (Residential Agricultural).

Staff member Will Butler stated the following:

- This is a request for final plat approval for 11 lots on a 29.56 acres located off Swint Road and currently zoned R-A (Residential Agricultural).
- The plat includes 11 acreage lots with the majority having access from Swint Road and two (lots 1 and 10) having additional frontage on Old Appling Harlem Highway.
- All lots meet the lot size and frontage requirements of R-A with the smallest lot at 2.502 acres and the largest at 3.538 acres.
- Staff recommends approval with condition:

Condition

Residential driveways must meet sight distance for a 45 mph roadway. Required sight distance shall be based on GDOT Driveway Manual, latest edition. Label the required and available sight distance on each site plan at each proposed driveway.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Wilder made a motion to approve with condition the Final Plat for Swint Farm Estates, Tax Map 040 Parcel 063 (Portion of), 11 lots, 29.56 +/- acres, located Off Swint Road, and currently zoned R-A (Residential Agricultural). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2f) Massage Operator's License

(H2f1) Abba's Therapeutic Massage LLC, located at 3685 River Watch Parkway Suite 105, for on premise and mobile massage services.

Staff member Will Butler stated the following:

- This is a request for a Massage Operator's License for Abba's Therapeutic Massage LLC for on premise and mobile massage services.
- Therapist Olivia Deckert meets all the MOL requirements.
- Staff recommends approval.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Wilder made a motion to approve Abba's Therapeutic Massage LLC, located at 3685 River Watch Parkway Suite 105, for on premise and mobile massage services. Commissioner Futch seconded the motion. The motion carried unanimously.

(H2g) Public Hearing

(H2g1) RZ21-05-01, Change of Conditions and Major S-1 (Special) Revision, Tax Map 050 Parcel 006D, 6.36+/- acres, located at 2179 William Few Parkway, and currently zoned S-1 (Special).

Staff member Will Butler stated the following:

- This is a request for a Change of Conditions and Major Revision for property located at 2179 William Few Parkway on 6.361 +/- acres currently zoned S-1 (Special).
- The subject property is located on the east side of William Few Parkway, just south of its intersection with Columbia Road.
- Property to the north and west is zoned S-1 (Special), property to the south is zoned P-1 (Professional), and property to the east is zoned PUD (Planned Unit Development) for the High Meadows subdivision.
- The property was last revised as part of RZ17-09-04 which permitted the kennel that is under construction, office and veterinary uses, and the residential use which was to cease sixty days after the owner received the Certificate of Occupancy per a condition from the Board of Commissioners.
- The applicant has two requests: the removal of the noted condition and a revision to the hours of operation for the business on the property.
- Also noted by the applicant is that the current tenants include a Columbia County Sheriff's Deputy who has provided and will continue to provide some measure of security and a presence on the site should there ever be a need.
- The applicant indicated that they would continue to use it as a residential rental or caretaker's residence until such time that they would convert it into office space.
- Staff must note that if the home is converted into an office there will likely be modifications to the structure required by building code, but this can be addressed at that time.
- The second request is in regards to the hours of operation.
- The original narrative stated that typical hours of operation for the kennel, veterinary clinic, and tack shop would be 8AM to 5PM, Monday through Sunday.
- There would be additional times (5AM-10PM) that staff may be on the property to clean, administer medicines, or have emergency situations with the clinic.
- The applicant would like to expand the hours of operation from 7AM to 7PM, Monday through Sunday, with typical business hours from 8AM to 6PM in order to allow for clients to drop off and pick up at the kennel.
- The subject property is located within the William Few Community Crossroads Character Area of the Vision 2035 Future Land Use map.
- The proposed and existing uses provide a service to nearby residents with a small retail component.
- Staff recommends to approve with condition:

Condition

Planning:

All conditions approved as part of the September 17, 2017 Board of Commissioner meeting shall remain in effect, except for Condition 3 from the Board of Commissioners that stated that residential rental property expires sixty days after the owner receives the certificate of occupancy for the business.

Chairman Cox stated this was a public hearing and asked if the applicant was present.

Bonnie Lord, 2918 Mock Road:

- Requesting the hours of operation change so the kennel is available to the 8-5 working public for drop-offs and pickups before and after work.

Chairman Cox stated this was a public hearing and asked if there was anyone to speak for or against the Change of Conditions or Revision.

Michael VanDingstee, 2179 William Few Parkway:

- Resident on the property for almost 7 years and it would be a burden for me to have to move.

Planning Commission questions/comments/concerns:

Commissioner Dempsey questioned whether there have been any complaints with having a residence on the property.

Michael VanDingstee answered no.

Chairman Cox stated this was a public hearing and asked if there was anyone else to speak for or against the Change of Conditions or Revision. Hearing none, he closed the public hearing and called for a motion.

Commissioner Dempsey made a motion to approve with condition RZ21-05-01, Change of Conditions and Major S-1 (Special) Revision, Tax Map 050 Parcel 006D, 6.36+/- acres, located at 2179 William Few Parkway, and currently zoned S-1 (Special). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2h) Text Amendments

(H2i) Items Added (which need immediate action)

I. LEGAL MATTERS

J. STAFF AND COMMISSIONER COMMENTS

K. PUBLIC COMMENTS AND PARTICIPATION

There was no further business to discuss; therefore Commissioner Futch made the motion to adjourn the meeting at 6:44p.m. Commissioner Wilder seconded the motion. Motion carried unanimously.

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Signature on File

Jim Cox, Chairman

Signature on File

Scott Sterling, Planning Services Director