

# PUTNAM COUNTY PLANNING AND ZONING COMMISSION



117 Putnam Drive, Suite B ♦ Eatonton, GA 31024  
706-485-2776 ♦ 706-485-0552 fax ♦ www.putnamga.com

Thursday, August 06, 2015

The Putnam County Planning & Zoning Commission conducted a public hearing on Thursday, August 06, 2015 at 6:30 PM in the Putnam County Administration Building, 117 Putnam Drive, Room 203.

**Present:** James Marshall, Chairman, John Langley, Tommy Brundage, Yvonne Hardy, and Alan Oberdeck.

**Staff Present:** Lisa Jackson, Karen Pennamon and Jonathan Gladden

1. *Call to Order*

Mr. James P. Marshall, Chairman, called the meeting to order.

2. *Attendance*

Mr. Jonathan Gladden called the roll.

3. *Rules of Procedures*

Mrs. Karen Pennamon read the rules of procedures.

4. *Approval of Minutes - July 2, 2015*

Motion for approval made by: Alan M. Oberdeck

Second by: John D. Langley

Commissioner	YES	NO	ABSTAIN	RECUSE
Brundage, Tommy	x			
Hardy, Yvonne	x			
Langley, John D.	x			
Marshall, James P.	x			
Oberdeck, Alan M.	x			

5. *Request by **Charles J. & Pauline Foy** for a rear yard setback variance at 114 Lower Little River Drive. Presently zoned R-2. [Map 057A, Parcel 028].*

**Mr. Charles Foy** represented this request. **Mr. Foy** stated that he is replacing a 23X44 doublewide on the property and is requesting a 47-foot variance, being 53 feet from the nearest point to the lake to place a 28X40 double-wide manufactured home with a 20X10 covered deck on the rear (lake) side of the property. **Mr. Foy** stated that because of the topography of the lot they cannot meet the 100 foot setback requirement. He added that **Mr. Langley** and Ms. Jackson had visited the property and discussed his

request. **Mr. Langley** stated that this is a unique shaped lot and has limited buildable area. He commented that the information provided by Kathryn Hill from the Health Department indicated that the only location for a septic field is at the top of the property near the road. **Mr. Langley** stated that there is no way for the new home to be moved back any closer to the road without encroaching on the septic system. He said that due to the unique shape of this lot and the required placement of the septic system, the proposed location is the best suitable option for placing the house. No one spoke in opposition to this request. Staff recommendation is for approval. **Mr. Langley** made a motion for approval and **Ms. Hardy** seconded. **All approved.** **Mr. Foy** commented that he has never done anything like this before and he wanted to mention that the extraordinary service that he has gotten from **Mr. Langley** and in particular, Ms. Jackson has been exceptional.

*Staff recommendation is for approval of a 47-foot rear yard variance, being 53 feet from the nearest point to the lake.*

Motion for approval made by: John D. Langley  
 Second by: Yvonne Hardy

Commissioner	YES	NO	ABSTAIN	RECUSE
Brundage, Tommy	x			
Hardy, Yvonne	x			
Langley, John D.	x			
Marshall, James P.	x			
Oberdeck, Alan M.	x			

6. *Request by **Michael S. Roberts** for a side yard setback variance at 379 East River Bend Drive. Presently zoned R-1R. [Map 119B, Parcel 040].*

**Mr. Michael Roberts** represented this request. **Mr. Roberts** stated that he is requesting a 7-foot variance, being 13 feet from the left side property line when facing the house to place a 16X30 storage shed. He stated that his family moved to Putnam County two years ago from McDonough, Georgia. **Mr. Roberts** said that most of his belongs are in storage in McDonough. He explained that the terrain on the right side of the driveway is very sloped and no structure can be placed on that side. **Mr. Roberts** said that he had considered placing the storage shed in the rear of the property but due to having heart surgery, he is unable to climb up and down the hill to reach the shed. **Mr. Oberdeck** stated that he had visited the property with Mr. Brundage. He stated that the proposed location is the best suitable option for the storage shed. **Mr. Langley** stated that he had visited the property with Ms. Jackson and Mrs. Pennamon. He said that after visiting the property it was determined that an additional 2 feet is needed in order to align the corners of the building so that they are not on the driveway. No one spoke in opposition to this request. Staff recommendation is for approval of a 10-foot left yard variance, being 10 feet from the left side property line when facing the house. **Mr. Oberdeck** made a motion for approval and **Mr. Brundage** seconded. **All approved.**

*Staff recommendation is for approval of a 10-foot left yard variance, being 10 feet from the left side property line when facing the house.*

Motion for approval made by: Alan M. Oberdeck  
 Second by: Tommy Brundage

Commissioner	YES	NO	ABSTAIN	RECUSE
Brundage, Tommy	x			
Hardy, Yvonne	x			
Langley, John D.	x			
Marshall, James P.	x			
Oberdeck, Alan M.	x			

7. *Request by **Eddie Spencer** for a front yard setback variance at 178 Sinclair Road. Presently zoned R-2. [Map 112C, Parcel 045].*

**Mr. Eddie Spencer** represented this request. **Mr. Spencer** stated that he is requesting a 15-foot variance, being 15 feet from the front property line to construct a new 1400 square foot house. He stated that there was a small house on this property that burned down 2 years ago which has been demolished. **Mr. Spencer** said that a portion of that structure was located in and below the Georgia Power’s 343-foot contour line. He said in order for the him to build a new house, he will have to move the house back and out of the 343’ contour line and move it away from the septic drain line. **Mr. Spencer** added that this places the structure 15 feet from the front property line. He stated that there are two septic drain fields and a pumping station on the lot. **Mr. Langley** commended Mr. Spencer on the way that he had laid out the profile of the building and where the septic lines are located. He said that it makes it easier for them to see something when it is marked. **Mr. Langley** stated that he has no problems with the request. **Mr. Oberdeck** stated that he had visited the property with Mr. Brundage and he has no problems with the request. No one spoke in opposition to the request. Staff recommendation is for approval. **Mr. Langley** made a motion for approval and **Ms. Hardy** seconded. **All approved.**

*Staff recommendation is for approval of a 15-foot front yard variance, being 15 feet from the front property line when facing the house.*

Motion for approval made by: John D. Langley  
Second by: Yvonne Hardy

Commissioner	YES	NO	ABSTAIN	RECUSE
Brundage, Tommy	x			
Hardy, Yvonne	x			
Langley, John D.	x			
Marshall, James P.	x			
Oberdeck, Alan M.	x			

8. *Request by **George Rae Reynolds** for a side yard setback variance at 890 S. Steel Bridge Road. Presently zoned R-2. [Map 115C, Parcel 073].*

**Mr. George Reynolds** represented this request. **Mr. Reynolds** stated that he is requesting a 10-foot variance, being 10 feet from the right side property line when facing the house to construct a 30X31 garage. He stated that he would like to store his motorcycle, truck and tractor in the garage because of recent thefts in the area. **Mr. Reynolds** added that it would make his property look neater. He stated that the proposed garage will be 30X31 feet wide and will be placed to the right of the concrete driveway. **Mr. Reynolds** stated that this is a narrow lot and if the structure is placed 20 feet from the property line it will be in the driveway. He added that his wife had meet with some of the board and staff members that visited the property. **Mr. Oberdeck** stated that he and Mr. Brundage had visited the property. **Mr. Oberdeck** said that this is the best suitable location for the garage. **Mr. Langley** asked Mr. Reynolds if his wife had notified him that it was recommended that one of the structures, preferably the small shed be

removed from the property. Mr. Reynolds responded yes and said that he will move the shed after he builds the proposed garage. He said that he will move the shed to an adjacent property that he owns for his tenants to utilize. No one spoke in opposition to the request. Staff recommendation is for approval. **Mr. Oberdeck** made a motion for approval and **Mr. Brundage** seconded. **All approved.**

*Staff recommendation is for approval of a 10-foot right yard variance, being 10 feet from the right side property line when facing the house.*

Motion for approval made by: Alan M. Oberdeck  
Second by: Tommy Brundage

Commissioner	YES	NO	ABSTAIN	RECUSE
Brundage, Tommy	x			
Hardy, Yvonne	x			
Langley, John D.	x			
Marshall, James P.	x			
Oberdeck, Alan M.	x			

9. *Request by **Rick McAllister** agent for **Eagles Rest at Cuscowilla, LLC** to rezone 47.30 acres at **Martin Oaks Boulevard** from R-1 to RM-3. [Map 103B, Parcel 043].\**

**Mr. Rick McAllister** represented this request. **Mr. McAllister** stated the applicants are requesting to rezone this property from R-1 to RM-3. He summarized the general differences between the existing R-1 and the requested RM-3 zoning. He stated how the applicants plan is dependent on the RM-3 zoning, and the potential financial benefits that could be applied to Putnam County. **Mr. McAllister** outlined how the applicants will work with Putnam County to close the gap between a high density zoning and the vision for the development. He said that the application presented represents a vision for making the change from R-1 to RM-3. The future development will be called Eagles Rest which will be slightly over 47 acres and adjacent to Lake Oconee and Cuscowilla. Eagles Rest will have approximately 4,000 linear ft. of Lake Oconee shoreline. The primary purpose for the proposed zoning of RM-3 is for Eagles Rest to be annexed into the RM-3 zoning of Cuscowilla. Cuscowilla was originally zoned PUD and was later reclassified as RM-3. Eagles Rest is currently zoned R-1 which will allow single family lots with only one dwelling unit per lot and overall density of 4 units per acre. **Mr. McAllister** added that RM-3 is a multifamily district with a maximum density of 8 units per acre with 35% open space requirements. Eagles Rest currently in its R-1 zoning classification allows for 188 units coupled with the County development standards and this would bring the overall density down to 91 single family lots. Eagles Rest rezoned as RM-3 would be 248 units or less with the County development standards. The proposed development plan is under 70 single family units. The overall development will include waterfront and interior single family lots with single family cottages. This would represent a lower density then the proposed R-1 zoning of 188 units. **Mr. McAllister** stated with the previous grandfathered zoning of PUD, Cuscowilla was able to maintain success by supplying a wide range of development: condominiums, single family lots, and cottages. Eagles Rest is requesting to continue the Cuscowilla development program while offering similar choices in order to meet the current real estate market. The main difference between the proposed Eagles Rest development and Cuscowilla is that multifamily property will not be allowed, only single family property. **Mr. McAllister** stated Eagles Rest is expecting a combined density of 1.5 units per acre. The surrounding development of Martin Oaks is currently zoned R1-R and Cuscowilla is zoned RM-3. Eagles Rest zoned at RM-3 would mandate a 50 ft. buffer which is outlined in the landscape plan showing a minimum 50 ft. and up to 100 ft. along Martin Oaks Blvd. If Eagles Rest is left as R-1 this buffer would not be required. **Mr. McAllister** stated a rough estimate of the total development will have an impact of around 60 million dollars and this could equate to huge revenue for Putnam County and local businesses. **Mr. McAllister** stated that Ms. Jackson had informed the

applicants that RM-3 allowed uses could result in: apartments, condos, and high density developments on this property. He added that he has assured Ms. Jackson that the applicants are seeking the zoning classification to only allow for single family cottages, and from this assurance, a development agreement was formed. Mr. McAllister stated the applicants will consider any type of development standards or conditions that may be applied to this rezoning. **Mr. McAllister** thanked the board for their consideration. **Mr. Marshall** asked how many acres are actually deeded in that open space. **Mr. McAllister** responded that approximately 15 acres. **Mr. Oberdeck** stated that he and Mr. Brundage had visited the property from the Martin Oaks Boulevard side and the Cuscowilla side. He asked how the construction will affect the roads, especially on Martin Oaks Drive. **Mr. McAllister** stated that Cuscowilla charges a fee for contractors to enter the development which helps them maintain the roads. He added that they like to have an access point onto Martin Oaks for other construction traffic. **Mr. McAllister** stated that one possible scenario is for Cuscowilla to have an entrance into the development and ultimately have a gated access point which will only be open for emergency access on Martin Oaks Boulevard. **Mr. Langley** asked whom would supply the water and sewer utilities. **Mr. McAllister** stated the utilities would be provided by private utility companies. **Mr. Langley** asked if they would be installing fire protection systems. **Mr. McAllister** responded yes. The staff recommendation is for approval to rezone 47.30 acres at Martin Oaks Boulevard from R-1 to RM-3 with the following conditions: (1) the entire 47 acres must be combined with Cuscowilla Development and developed as such, and (2) there will be no more than 27 lakeside lots and 20 interior lots having only one single dwelling on each lot, and 18 cottages for single family use only, for a total of 65 and conditions permitting no more than 70 units (3) all access shall be in and through Cuscowilla only with emergency exit on Martin Oaks Drive only. **Mr. Marshall** clarified that condition (3) only applies to when the project is complete. Ms. Jackson added that there has to be a gate installed at the emergency exit and it can only be used for emergencies. **Mr. McAllister** asked about a possible cut thru on Martin Oaks Boulevard. **Ms. Jackson** responded that this is something that has to be researched because the weight limits on the road and possible damage to it due to construction traffic has to be considered. She added that the line of site onto Lakeview could be an issue when entering and exiting Hwy 44. **Ms. Jackson** stated that all of this will be taken into consideration prior to the plat approval. She stated that if the applicants are willing to put up a performance bond all of that can be considered. This bond is in case any damage occurs to the road, the County will have the money to repair it. She stated that this protects the public roads and the people in Martin Oaks Subdivision. **Mr. McAllister** asked for clarification on the conditions imposed. **Mr. Marshall** responded that the target number of lakeside lots and cottages is 65 but can adjust up to 70. **Ms. Jackson** stated that they cannot increase the lakeside lots because that is where the major impact would be on the lake and the community. **Mr. Langley** asked what the setback relief is that they would be requesting. **Mr. McAllister** said that what they are requesting is a 5 foot setback variance, being 15 feet from the side property line and a 50 foot setback variance being 50 feet from the lake. **Mr. Oberdeck** made a motion for approval to rezone 47.30 acres at Martin Oaks Boulevard from R-1 to RM-3 with the following conditions: (1) the entire 47 acres must be combined with Cuscowilla Development and developed as such, and (2) there will be no more than 27 lakeside lots and 20 interior lots having only one single dwelling on each lot, and 18 cottages for single family use only, for a total of 65 and conditions permitting no more than 70 units (3) all access shall be in and through Cuscowilla only with emergency exit on Martin Oaks Drive only. **Ms. Hardy** seconded the motion for approval. No one spoke in opposition to this request. **Mr. Bill Carman, President of the Martin Oaks Homeowners Association** requested to speak. **Mrs. Pennamon** reread the rules of procedures. **Mr. Carman** informed the board that there are no fire hydrants at the end of Martin Oaks Boulevard. He asked if the fire department would be allowed to access a hydrant over the line from Cuscowilla in the event there is a fire at the end of Martin Oaks Boulevard. **Mr. Carman** added that there is a hydrant at the beginning of Martin Oaks Boulevard but it is a long way from the stated location. He stated that he has no problems with the development. **Mr. Marshall** stated that all of the hydrants are there for fire department use regardless of where a fire is located. He assured Mr. Carman that this issue will be researched and staff will give him a formal reply. The motion made by **Mr. Oberdeck** was approved unanimously.

**Staff recommendation is for approval to rezone 47.30 acres at Martin Oaks Boulevard from R-1 to RM-3 with the following conditions: (1) the entire 47 acres must be combined with Cuscowilla Development and developed as such, and (2) there will be no more than 27 lakeside lots and 20 interior lots having only one single dwelling on each lot, and 18 cottages for single family use only, for a total of 65 and conditions permitting no more than 70 units (3) all access shall be in and through Cuscowilla only with emergency exit on Martin Oaks Drive only.**

Motion for approval made by: Alan M. Oberdeck  
 Second by: Yvonne Hardy

Commissioner	YES	NO	ABSTAIN	RECUSE
Brundage, Tommy	x			
Hardy, Yvonne	x			
Langley, John D.	x			
Marshall, James P.	x			
Oberdeck, Alan M.	x			

10. *Adjournment*

ATTEST:

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 James Marshall  
 Chairman

\_\_\_\_\_  
 Lisa Jackson  
 P&D Director