

PUTNAM COUNTY PLANNING AND ZONING COMMISSION



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Thursday, November 07, 2013

The Putnam County Planning & Zoning Commission conducted a public hearing on Thursday, November 07, 2013 at 6:30 PM in the new Putnam County Administration Building, 117 Putnam Drive, Room 203.

1. Call to Order

Mr. Marshall called the meeting to order.

2. Attendance

Mrs. Pennamon called the roll.

Absent: Tommy Brundage

Present: James Marshall, Jr., Chairman, John Langley, Vice Chairman, Yvonne Hardy, and Alan Oberdeck.

Staff Present: Lisa Jackson, Karen Pennamon and Jonathan Gladden

3. Rules of Procedures

Ms. Jackson read the Rules of Procedure.

4. Approval of Minutes – October 3, 2013

Motion for approval made by: John D. Langley

Second by: Alan M. Oberdeck

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

5. Request by *Kenny Holloway, agent for Clifton R. Holloway* for a rear yard setback variance at 120 Briarpatch Road. Presently zoned R-2. [Map 096B, Parcel 065].

Kenny Holloway, agent for Clifton R. Holloway, represented this request. Mr. Holloway stated that he is requesting a 43.6 foot rear yard setback variance being 56.6 feet from the nearest point to the lake to build a house. He said that the site plan he submitted shows the location of the garage, house, and septic system. There was a mobile home on the lot but it has been removed. The septic tank and well have already been installed and he is in the process of rebuilding a sea wall. The site plan he submitted shows the most suitable location to build the house. Mr. Oberdeck stated that he had visited the property and has no problems with the request. Mr. Langley asked if reclaiming some of the lake side property, as approved by Georgia Power, would extend the setback beyond the 56.6 feet as requested. Mr. Holloway stated Georgia Power did grant them permission to reclaim the portion of the seawall that has eroded and washed away over time and it has been considered in the request. He also added that the depth of the water would determine where the final wall will end up. Mr. Marshall stated that the other setbacks are within the requirements. No one signed in to speak in objection to this request.

The applicant is requesting a 43.6 foot variance being 56.6 feet from the nearest point to the lake to replace an existing old mobile home with a 2,250sq foot site built home. The proposed structure will be no closer to the lake than the existing mobile home, and it will meet all other setback requirements. There is a well on one side of the property and the septic tank is on the opposite side as shown on the drawing. The new drain lines will run across the front of the property. In order to stay at least 50 ft. from the well and to avoid encroachment of the new drain lines, the proposed house will be positioned as close as possible to the well and septic tank without being in violation of environmental health regulations. Kathryn Hill from the health department confirmed that this is the best location to place the proposed structure due to the location of the well and septic system. Therefore, there is no other location suitable to make the improvements desired by property owners. This request meets the requirements as stated in Section 66-157(c).

Staff recommendation is for approval of a 43.6 foot variance, being 56.6 feet from the nearest point to the lake.

Motion for approval made by: Alan M. Oberdeck

Second by: John D. Langley

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

6. ***Request by Jefferson Ward Yearwood, for a side and rear yard setback variance at Lot 11, Southland Drive. Presently zoned R-2. [Map 053C, Parcel 208].***

Mr. Yearwood represented this request. He stated that he has owned this property for one year. The property is a wooded lot that has never been developed. It is a little under an acre and their goal was to build a house and two accessory structures for his wife's and his retirement. He stated that he and his wife walked the property and there are trees from the road to the lake. Most of the trees are pine but there are some hardwoods. The property slopes from the street to the lake and there is also a large drainage ditch that crosses the property. He said that due to the

geography of the ditch whatever is done to the property has to be done on the part that is closest to the lake. His initial design was sent in with his application. He had a house, covered pavilion, and storage barn all bunched up together on the back of his property. He said that Ms. Jackson visited the property and had concerns about the buildings being bunched up. She recommended that the house be at least 100 ft. from the lake and that they rearrange the accessory buildings. He said they measured the structures from side to side to figure out the best arrangement. He has a revised sketch showing the accessory buildings separated and the house and pavilion moved. The storage barn and pavilion are located on one sideline and the house on the other sideline. He stated that this would be more suitable and still take into account the ditch that runs through the property. Mr. Yearwood is requesting a 35 ft. rear yard variance to allow the pavilion to be 65 ft. from the nearest point of the lake. He is also requesting a 10 ft. side yard setback variance for the pavilion and storage building. The house will not need any variances. He stated that he had spoken to Roni Butts, Environmental Compliance Officer, who gave him the guidelines on erosion control and he has put all the erosion control fencing up. He indicated that he had spoken to Kathryn Hill, Health Department, about the septic system and well. He stated that Mrs. Hill had visited the property and sent an email to him and Ms. Jackson which stated that the position of the house and open area between the house and the lake is adequate for a field repair area. She also stated that she did not have a problem with the arrangement of the buildings on the site. Mr. Marshall stated that this gives the Planning & Zoning Commission a good overview of the request. He said the staff recommendation is for the 35 ft. rear yard variance but staff's opinion is that the 20 ft. side yard requirement should be maintained for the pavilion and work shed. He stated that he concurs with the staff recommendation. He added that sometimes when dealing with narrow lots, there are significant drainage problems and plans have to be manipulated. Mr. Langley stated that he had visited the property and also concurs with staff recommendation. Mr. Yearwood stated that they are fond of Putnam County and the surrounding area. He wanted to revisit the drainage issue and stated that the ditch goes halfway down the property and crosses to the other side. The 20 ft. ditch would be between him and his neighbor. He does not feel that he would be harming anything by putting the structures closer to the property line on that side, because it would not be an encroachment on his neighbor's property. Mr. Langley stated that it would not be an encroachment to his neighbor's property but his neighbor's situation does not legally or logically affect him. He stated that he agreed with the staff recommendation. Ms. Jackson said that in Mr. Yearwood's defense she and Roni Butts had re-measured the proposed setbacks on the property and she and Mr. Langley also went out to measure the property. She said that the way he has the pavilion staked off is 20 feet from the side property line. She stated that the tool shed is 10 feet from the property line and can be moved over in line with the pavilion. Mr. Yearwood stated that he appreciated everyone for going out to visit his property. No one signed in to speak in objection to this request.

The applicant is requesting a 35 foot rear yard variance, being 65 feet from the nearest point of the lake. This is a vacant lot and Mr. Yearwood would like to build a 1,200 sq. ft. house, a 320 sq. ft. tool shed and a 1024 sq. ft. covered patio/pavilion. Although this is a very deep lot, the topography (slope) of this lot prohibits building any structures towards the roadside of the property. Therefore the buildable area is closer to the lake. The proposed house will be approximately 125 feet from the lake and the accessory structure (patio) will be 65 feet from the lake. Due to the topography of the property, the request for a rear yard set variance meets the requirements as stated in Section 66-157(c). Even though the applicant has requested a side yard variance of 10 ft., I see no valid explanation as to why both side yard setback requirements of 20 feet cannot be obtained.

Staff recommendation is for approval of a 35 foot rear yard variance, being 65 feet from the nearest point of the lake.

Motion for approval made by: John D. Langley

Second by: Yvonne Hardy

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

7. ***Request by John T. Mitchell Sr., for a side and rear yard setback variance at 195 Lakeshore Drive. Presently zoned R-2. [Map 056B, Parcel 053]***

Mr. Marshall stated that the applicant would like to withdraw this request without prejudice.

The applicant would like to withdraw this request without prejudice.

Staff recommendation is that this item be withdrawn from the agenda without prejudice.

Motion for approval to withdraw without prejudice made by: John D. Langley

Second by: Alan M. Oberdeck

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

8. ***Request by Donna and Wayne Mizell for a rear yard setback variance at 114 Winfield Drive, SE. Presently zoned R-2. [Map 111A, Parcel 120].***

Mrs. Mizzell represented this request. She stated that she and her husband have been weekend warriors in Putnam County for approximately 8 years. They have torn down the house that was on the property and would like to build a new home. The Health Departments' recommendation was 80 feet from the lake, with a setback of 30 feet on one side and 40 feet on the other side. She stated that she is requesting a 20-foot rear yard variance, being 80 feet from the nearest point of the lake. Mr. Langley stated that he had visited the property with both Mr. Oberdeck and Ms. Jackson and they had spoken with Mr. Mizzell. He has no problem with the request. Mr. Marshall congratulated them on their upgrade. No one signed in to speak in objection to this request.

The applicants are requesting a 20-foot rear yard variance, being 80 feet from the nearest point of the lake to build a 3,402 square foot home. They have demolished the previous house, which was 49 feet from the lake, but due to the shallowness of the lot, it is impossible to meet the 100-foot setback and build the desired structure. In the proposed location, the new structure will be 80 feet from the lake, 20+ feet from the sides and 32 feet from the road. Due to the shallowness of this lot, this request meets the requirements as stated in Section 66-157(c).

Staff recommendation is for approval of a 20-foot rear yard variance, being 80 feet from the nearest point of the lake.

Motion for approval made by: Alan M. Oberdeck
 Second by: John D. Langley

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

9. *Request by Millicent C. Arnold and L. A. Copelan, Jr. to rezone +-23.39 acres at Capps Lane from R-1 to AG-1. [Map 104A, Parcel 049]. **

Ms. Arnold represented this request. She stated that she and her brother are requesting to rezone 23.49 acres at Capps Lane from R-1 to AG-1 to be placed in the Land Conservation Program. They thought the property was already zoned AG-1. Mr. Marshall stated that they have had similar situations where the Tax Assessors Office has implemented new software in their new computer system and found problems with the classification of some parcels. Mr. Oberdeck stated that he had no problems with this request because the properties around them are zoned AG-1. No one signed in to speak in objection to this request.

The applicants are requesting to rezone their property from R-1 to AG-1 to be in compliance with the requirements for the Conservation Land Program. This property is zoned R-1 but has been in conservation for many years. This property is undeveloped, mostly covered with timber and they have livestock. Recent upgrading to the tax assessors' software has revealed that there are several parcels in the conservation program based on use and not zoning which is a violation of the conservation covenants. Therefore, the tax assessors' office is giving each violator until January 1, 2014 to rezone their parcel(s) to agriculture or they will be penalized and removed from the program. Because this property is located in an R-1 District, I recommend that the minimum size site built and manufactured home allowed should comply with the R-1 zoning district and no campgrounds should be allowed.

Staff recommendation is for approval with the following conditions: 1.) The minimum size site built or modular home shall be 1,200 square feet; 2.) The minimum size manufactured home shall be 1000 square feet and; 3.) No campgrounds shall be allowed

Motion for approval with conditions made by: Alan M. Oberdeck
 Second by: John D. Langley

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

10. Request by **Jerrell and Lynda Jackson** to rezone 15.16 acres at 283 Riverlake Drive from R-1 to AG-2. [Map 123, Parcel 002]. *

Mrs. Lynda Jackson stated that she and her husband have been in the Land Conservation Program for about ten years. They received information from the tax assessor and began to do some research into it. They found that they have neighbors that are already in the conservation program. They would like to rezone 15.06 acres from R-1 to AG-2 to be placed in the Land Conservation Program. Mr. Marshall stated that they have had a number of similar situations where the Tax Assessors Office has implemented new software in their new computer system and found problems with the classification of some parcels. Mr. Oberdeck stated he had visited the property and has no problems with the request. No one signed in to speak in objection to this request.

The applicants are requesting to rezone their property from R-1 to AG-2 to be in compliance with the requirements for the Conservation Land Program. This property is zoned R-1 but has been in conservation since 2004. They live in a house at this location but the property mostly covered with timber. Recent upgrading to the tax assessors' software has revealed that there are several parcels in the conservation program based on use and not zoning which is a violation of the conservation covenants. Therefore, the tax assessors' office is giving each violator until January 1, 2014 to rezone their parcel(s) to agriculture or they will be penalized and removed from the program. Because this property is located in an R-1 District, I recommend that the minimum size site built and manufactured home allowed should comply with the R-1 zoning district and no campgrounds should be allowed.

Staff recommendation is for approval with the following conditions: 1.) The minimum size site built or modular home shall be 1,200 square feet; 2.) The minimum size manufactured home shall be 1000 square feet and; 3.) No campgrounds shall be allowed.

Motion for approval made by: Alan M. Oberdeck

Second by: John D. Langley

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

11. Adjournment

Motion to adjourn made by: Alan M. Oberdeck
Second by: John D. Langley

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

12. New Business:

Ms. Jackson thanked everyone that attended the Comprehensive Plan Review Meeting. She stated that it was a good meeting and they will have one annually.

ATTEST:

James Marshall
Chairman

Lisa Jackson
P&D Director