

PUTNAM COUNTY PLANNING AND ZONING COMMISSION



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June 6, 2013 Agenda – Planning & Zoning Commission

The Putnam County Planning & Zoning Commission conducted a public hearing on June 6, 2013 at 6:30 p.m. in the new 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

Mr. Marshall welcomed everyone. **Ms. Jackson** read the Rules of Procedure. **Mr. Langley** made a motion to accept the minutes from May 2, 2013, as read, **Mr. Oberdeck** seconded. **Ms. Hardy** was present but not voting. **All Approved.**

1. Request by **Steven L. Petersen** for a side yard setback variance at 114 Riverside Drive. Presently zoned R-1. [**Map 102B, Parcel 054**]. **Mr. Petersen** represented this request. **Mr. Petersen** stated that he would like to build a three-car garage with heated space above the garage. He is requesting a 5-foot side yard variance, being 15 feet from the right side property line, when facing the house. The Health Department is requiring him to install an additional septic system which he has already obtained a permit for. **Mr. Petersen** stated that his existing driveway comes down the center of the property and due to the proposed location of the new septic system and drain field a variance is required. **Mr. Oberdeck** stated that he had visited the property and he has no problems with the request. **Staff recommendation is for approval of a 5-foot side yard variance, being 15 feet from the right side property line when facing the lake.** **Mr. Oberdeck made a motion for approval and Mr. Langley seconded.** **Ms. Hardy** abstained from voting. **All approved.**
2. Request by **Duncan Criscoe/Crooked Pines Farm, LLC** for a conditional use at 355 Harmony Road. **Presently zoned AG-1. [Map 072, Parcel 010].** * **Mr. Criscoe** represented this request. **Mr. Criscoe** stated that they established an agri-tourism business on his property in 2010 and in the growth, they built a barn that was going to be used for small events such as kids' camps, birthday celebrations, anniversary parties, holiday parties, and family activities. Since that time the barn has become a popular destination for weddings and local group meetings. **Mr. Criscoe** is requesting a conditional use permit so that they will be able to utilize the facility as an event center and be in compliance with the Putnam County and State of Georgia code requirements. **Mr. Marshall** stated that he had heard glowing reports on them for entertaining the International Travel Writers for the Chamber of Commerce. **Mr. Criscoe** added that they were excited to have them come out and intend to bring exposure to the County and increase the revenue to the County. **Mr. Langley** stated that there was a letter submitted with the application from the Fire Commissioner but asked if he had approval to do this with fewer than 50 people. **Mr. Criscoe** stated that they will continue to work with the fire marshal on the standpoint that it is extremely cost prohibitive to put a fire suppression system in that building because there is not County water available. Whether they look at that as the next step in this process is something he will address with the Fire Marshal. **Mr. Criscoe** stated that he is researching what the guidelines for the County are and he does not see a basis on requiring the facility to be sprinkled at this time, he thinks it is a recommendation and not a requirement. He added that when they constructed the

facility they adhered to all the emergency lighting requirements and had emergency exits and fire extinguishers in place per the Fire Marshal's request. He does not want to operate a business that is going to be harmful to him or clients. **Mr. Langley** asked if he was ok with the limitation of people. **Mr. Criscoe** stated that he is not going to say he is ok with that but it is another step in the process of approval that he will work with. He said that as long as he operates his business within the safety guidelines that the County and Fire Marshal approve, he does not see adding an expenditure that cost as much as the facility cost. **Mr. Criscoe** said that he is not saying that safety is not a concern because it is but with the guidelines he has read there is always someone from their organization at every event from beginning to the end of the event. They are in close proximity to the Harmony Volunteer Fire Department and safety is their number one priority. **Staff recommendation is for approval with the condition that a 50-foot undisturbed buffer remains along the side and rear property lines and, hours of operations are not to exceed 11pm. Mr. Criscoe stated that he does not have a problem with this requirement. Mr. Oberdeck** made a motion for approval with the condition that a 50-foot undisturbed buffer remains along the side and rear property lines and, hours of operation are not to exceed 11 pm and **Mr. Brundage** seconded. **Ms. Hardy** abstained from voting. **All Approved.**

3. Request by **Danny and Uyvonna Copelan** to rezone 5 acres at Wards Chapel Road from, AG-1 to AG-2. **[Map 104A, Parcel 070]. * Mrs. Copelan** represented this request. **Mrs. Copelan** stated that they would like to rezone 5 acres out of 56 plus acres to have events occasionally at this location. She is requesting to remove 5 acres from the conservation program but they would like remain in an agriculture-zoned district. **Staff recommendation is for approval to rezone 5 acres at Ward Chapel Road from, AG-1 to AG-2. [Map 104A, part of parcel 070] Mr. Oberdeck made a motion for approval and Mr. Langley seconded. Ms. Hardy** abstained from voting. **All approved**
4. Request by **White Sands of Navarre** to rezone 20.66 acres at 217 N. Wesley Chapel Road from, AG-2 to AG-1. **[Map 076, Parcel 020]. * Mr. Lawrence Richard** represented this request. **Mr. Richard** stated that he owns 115 acres at 217 N. Wesley Chapel Road and is requesting to rezone 20.66 acres from AG-2 to AG-1 to build a horse facility to board, train, and ride horses. **Mr. Oberdeck** asked if they had started construction of the barn because it looks like a very substantial barn. **Mr. Richard** responded that he had started construction of the barn. He has also spoken to some of his neighbors and they are all excited about what is going to be happening there. **Mr. Richard** stated that they are reclaiming some of the pasture on the left hand side too and also the pasture in the front so there will be quite a few horses running around. He is looking forward to it and says it will be a good thing for the County. **Mr. Langley** asked if this was going to be a day use facility and did he plan on having a bed and breakfast. **Mr. Richard** responded that it would be a day use facility but he has no plans for a bed and breakfast. He does plan to make trails throughout the property to allow clients to ride horses and may build a house in the future. **Mr. Langley** asked as a security standpoint if they would be crossing the road. **Mr. Richard** responded no and that they have plans for fencing and will not have access to the driveway coming up to the farm. **Staff recommendation is for approval to rezone 20.66 acres at 217 N. Wesley chapel Road from, AG-2 to AG-1. (Map 076, Part of Parcel 020)* Mr. Brundage made a motion for approval and Mr. Oberdeck seconded. Ms. Hardy** abstained from voting. **All Approved.**
5. Request by **David A. and Carolyn D. Long** to rezone 25.53 acres at River Lake Drive from, R-1 to AG-2. **[Map 123, Parcel 015]. * Mr. David Long** represented this request. **Mr. Long** stated he would like to rezone this property from R-1 to AG-1 to be in compliance with the requirements for the Conservation land use. When he purchased the property he placed it in the Conservation land use and it has been that for going on nine years. **Mr. Charles Anglin** from the Tax Assessors office stated that the State of Georgia has a Conservation program that lasts for 10 years. In order to qualify for the program you have to be in an agricultural use. When a property owner applies for a conservation use program it saves the tax payer approximately 80% on their tax bill. It is an exemption and in order to be approved by the Board of Tax Assessors it has to be in a qualifying use. **Mr. Anglin** stated that a qualifying use under the conservation program is listed as raising, harvesting, sowing crops, feeding, breeding, managing livestock or poultry, producing plant/trees, fowl, etc... **Mr. Anglin** added that one thing the conservation covenants states is that property cannot qualify for the program if the subject of

the application has a restricted covenant or anything that would prohibit any of these uses on the property. Last year they received the zoning overlays maps from RDC as a part of their new GIS program. These overlays are a way that they can actually look at the maps and verify zoning without contacting Planning and Zoning. One of the first things they did was verify all 650 properties in the County that were in the Conservation Use Program. They found 37 properties that were not zoned agriculture. They contacted each property owner by sending them a letter giving them the option of being taken out of the program or rezoning their property to an agriculture zoning which is required by the statute. There will probably be 37 applicants applying to get their property rezoned to an agricultural zoning. This is not meant to penalize anyone but it will make sure they are complying with the State code. One thing that he wanted to point out is that on the application, there are several questions and one of the questions asks if the current zoning on this property allows for an agricultural use and all 37 applicants checked yes. **Mr. Anglin** stated that he had spoken to Ms. Jackson about this and he wanted to come before the Planning & Zoning Commission to explain why the applicants are requesting to have their property rezoned. It is not meant to penalize anyone but to be in compliance with the code. **Mr. Marshall** asked if the conservation classification remains active for as long as the owner wants it to, or is there a time restriction. **Mr. Anglin** stated that it is a 10-year program that can be renewed or not. You are restricted for 10 years on what you can do on that property and there is a tremendous penalty if you violate it in any way. The penalty is twice the amount of the tax savings for each year it is in the covenant. There is a tremendous penalty but also tremendous savings. The Board of Tax Assessors polices this program strictly, because the citizens of the County are giving this exemption to these 650 people and they expect them to honor the agreement that they sign. **Mr. Marshall** asked if he would be able to notify the Planning & Zoning Commission on that 10-year anniversary date so that they do not let anyone slip through. **Mr. Anglin** responded yes. **Mr. Langley** asked if the conservation program allows for single residential use. **Mr. Anglin** stated that you can build your own house on the property. He stated that several additions have been added to the program. He said that someone could take up to 5 acres and deed it to a child as long as they build a house within a year and occupy it but they cannot resell the house. You can build any agricultural structure on that property. You can also split part of the property off as long as the person that buys it can sign a continuation and they keep it in the same use for the remainder of the covenant. **Mr. Oberdeck** asked if it was a State or Federal program. **Mr. Anglin** stated that it is a State program that voters in the State of Georgia voted on in a referendum. **Mr. Oberdeck** asked if there was a minimum size property. **Mr. Anglin** responded 10 acres but the new law says that it can be less than 10 acres if you can prove by submission of a plan that it is an agriculture commercial production. **Mr. Anglin** added that they could contact him if they had further questions. He concluded that whoever wants to remain in the program has to change their zoning to reflect the agriculture use but if they chose to be removed they will not be penalized. **Mr. Oberdeck** asked **Mr. Long** what the purpose of the original zoning and was it for a subdivision. **Mr. Long** stated he could not answer that question because it was sold to him with the current zoning classification. There is a driveway leading into the property that was done by the timber company in 2000 as part of the development. He said the purpose for the property is timberland. **Mr. Marshall** read some of the justifications for the approval that is in Ms. Jackson's staff recommendation. He said it states that, "The owner has no intention at this point to develop this property and would like to keep it in the conservation program. Rezoning this property to AG-2 instead of AG-1 would have the least impact on this neighborhood, by not allowing the large-scale agriculture development. I also feel that because it is a unique request prompted by the tax assessors' office, special conditions should be placed on this rezoning to protect the surrounding property owners from property depreciation. Because this property is located in an R-1 District, she is recommending that the minimum size site built and manufactured home allowed should comply with the R-1 zoning district and no campgrounds should be allowed." **Mr. Long** stated that he had no objections to the conditions as stated. **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.** **Mr. Oberdeck made a motion for approval with conditions and Mr. Langley seconded. Ms. Hardy abstained from voting. All Approved.**

6. Request by **Classic City Marinas LLC** to rezone 1.292 acres at Crooked Creek Drive from, R-2 to C-1. [Map 110C, Parcel 052]. * **Mr. John Jansen** represented this request. **Mr. Jansen** stated that the property abuts directly to the existing restaurant property. Georgia Power no longer wants a house on there so they have agreed to remove the house and make it green space. **Mr. Jansen** is requesting to rezone this parcel to C-1 in order to combine it with the adjacent C-1 parcel to use as green space. His purpose is to use the lot for outdoor weddings and events. There is a nice green lawn there and he hopes to develop it to bring in more events and eventually hire a manager to reopen the restaurant. **Mr. Oberdeck** asked if he planned to keep the dock that was there because it is a nice addition. **Mr. Jansen** responded yes. **Staff recommendation is for approval to rezone 1.292 acres at Crooked Creek Drive from, R-2 to C-1. [Map 110C, Parcel 052].* Mr. Oberdeck made a motion for approval and Mr. Langley seconded. Ms. Hardy abstained from voting. All Approved.**

New Business: Ms. Jackson stated that the Board of Commission was going to place a moratorium on family apartments in order to amend the guidelines for this use. She stated that she had been working with the county attorney on drafting the correct language. She informed the board that they need to schedule a work session to discuss and draft recommended changes. She will get with Barry to see if he can attend the work session as well. Everyone agreed to having the meeting the last week of June. Ms. Jackson will get with the county attorney to see what day will work for him and schedule the meeting accordingly.

Meeting Adjourned

Attest by:

Jim Marshall, Chairman
Planning & Zoning Commission

Lisa Jackson, Director
Planning & Development

Date: _____