

**Oconee County Board of Commissioners Meeting
Courthouse Commission Chambers
March 7, 2023 – 6:00 p.m.
Minutes**

Members Present:

Chairman John Daniell
Commissioner Mark Thomas
Commissioner Chuck Horton
Commissioner Amrey Harden
Commissioner Mark Saxon

Staff Present:

Daniel Haygood, County Attorney
Justin Kirouac, County Administrator
Holly Stephenson, County Clerk
Alex Newell, Internal Services Director
Guy Herring, Planning and Code Enforcement Director
Melissa Braswell, Finance Director
Kari Giddens, Assistant Finance Director
Diane Baggett, Communications Manager
Lisa Davol, Parks and Recreation Director

Call to Order: 6:00 p.m.

Chairman John Daniell called the meeting to order and stated that participants using Zoom may comment by using the raised-hand feature.

Pledge of Allegiance:

County Clerk Holly Stephenson led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

Motion:	Mark Saxon made a motion to approve the March 7, 2023 Agenda.
Second:	Chuck Horton
Voted in Favor of Motion:	Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	Motion Passed.

Statements and Remarks from Citizens:

Fred Johnson, 1191 Falcon Ridge Drive, spoke in favor of the speed platforms on Hillsboro Road in North High Shoals, asking the current Commissioners to support that they remain.

John Westman, 221 Hillsboro Road, spoke in favor of the speed humps on Hillsboro Road in North High Shoals.

Statements and Remarks from Commissioners:

Chairman Daniell announced the State of the County event will be on Tuesday, March 14. Registration through the Chamber of Commerce is open through tomorrow.

Chairman Daniell gave some background information on the history of the drainage issues along Hillsboro Road in North High Shoals. He and County Administrator Justin Kirouac have met with the mayor of North High Shoals to discuss the drainage issue, water flow, and type of speed tables that the former North High Shoals mayor had installed which do not aid the flow of water. The county has previously approved speed

Minutes – March 7, 2023

tables with spikes to allow water flow. The county has maintained that the city took control of the roadway when they installed the current speed tables. At the last North High Shoals meeting with the full city council, they voted to return the road to the county and return the funds collected for right-of-way access. County policy is not to allow speed bumps on county roads, which was also discussed with the North High Shoals council. The county is waiting on further engineering reports for further discussion.

Approval of Minutes:

Minutes of February 7, 2023 Regular Meeting and February 28, 2023 Agenda Meeting:

ACTION:

Motion: Chuck Horton made a motion to approve the February 7, 2023 Regular Meeting and the February 28, 2023 Agenda Meeting minutes.
 Second: Mark Saxon
 Voted in Favor of Motion: Chuck Horton, Amrey Harden, Mark Saxon
 Voted Against Motion: None
 Final Action: **Motion Passed.**

Presentation of the Georgia Department of Community Affairs PlanFirst Designation to the Planning and Code Enforcement Department:

Presented by: Beth Eavenson, Georgia Department of Community Affairs
 Discussion: Beth Eavenson, Region 5 Representative of the Georgia Department of Community Affairs, presented the Planning and Code Enforcement Department with the PlanFirst Designation effective for the next three years which honors communities that have an established pattern of implementing the comprehensive plan.

Rezone No. P22-0263:

Applicants:	Carter Engineering Consultants, Inc.
Owners:	R & C Development Enterprises, LLC
Location:	1315 Stonebridge Parkway
Acreage:	±0.50
Zoning:	R-1 (Single Family Residential District)
Request:	B-1 (General Business District)

Presented by: Guy Herring, Planning & Code Enforcement Director
 Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned R-1 (single Family Residential District) in the Civic Center Character Area. Applicant requests a rezone to B-1 (General Business District) in order to develop the parcel as a stormwater management facility for the adjacent commercial development. Staff and the Planning Commission recommend approval with three conditions.

The Public Hearing was opened.

Brian Kimsey, Carter Engineering Consultants, agent for the owner, spoke in favor of the rezone to enlarge the stormwater facility to handle the amount of water flowing towards the street.

There were no further comments in favor of the request and no comments against the request.

Chairman Daniell asked if there were "raised hands" via Zoom and there were none.

The Public Hearing was closed.

ACTION:

Motion: Chuck Horton made a motion to approve Rezone No. P22-0263 for R & C Development Enterprises, LLC; R-1 (Single Family Residential) to B-1 (General Business District); ±0.50 acres, 1351 Stonebridge Parkway with three conditions.
 Second: Mark Saxon

Minutes – March 7, 2023

2 | Page

Voted in Favor of Motion: Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Rezone #P22-0263 with three conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Commissioner Mark Thomas joined the meeting in person.

Rezone No. P22-0295:

Applicants:	Frank Pittman
Owners:	Halloran Masonry, Inc.
Location:	1619 New High Shoals Road
Acreage:	±7.11
Zoning:	OBP (Office-Business Park District)
Request:	Change in Conditions of Approval for Case #6745 from OBP to OBP with approval for self-storage use

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned OBP (Office-Business Park District) in the Community Village Center Character Area. The applicants/owners request a revision to conditions for previously approved zoning case #6745 to allow for self-storage use. There are companion special use and variance requests. The Planning Commission and Staff recommend approval of this request with four conditions.

Variance No. P22-0296:

Applicants:	Frank Pittman
Owners:	Halloran Masonry, Inc.
Location:	1619 New High Shoals Road
Acreage:	±7.11
Zoning:	OBP (Office-Business Park District)
Request:	Variance to reduce the required buffer from 50 feet to 25 feet adjacent to R-1 property

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned OBP (Office-Business Park District) in the Community Village Center Character Area. The applicants/owners request a variance from UDC Sec. 806 to reduce the required buffer from 50 feet to 25 feet adjacent to R-1 property. Staff recommends approval of this request with two conditions.

Special Use No. P22-0297:

Applicants:	Frank Pittman
Owners:	Halloran Masonry, Inc.
Location:	1619 New High Shoals Road
Acreage:	±7.11
Zoning:	OBP (Office-Business Park District)
Request:	Special use approval to allow a self-storage use on the property

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned OBP (Office-Business Park District) in the Community Village Center Character Area. The applicants/owners request a special use approval to construct a self-storage facility under the existing OBP zoning. This is a principle use that is allowed by special use approval in the OBP zoning district according to Sec. 205.11 of the ordinances. The Planning Commission and Staff recommend approval of this request with four conditions.

The Public Hearing was opened.

Frank Pittman with Pittman and Greer Engineering, 1050 Barber Creek Drive, agent for the owner, spoke in favor of the rezone modification for a self-storage facility. The front and rear buildings will be one-story buildings with a two-story building in the center. This proposal is good for the area as it produces little traffic and fits future land use and zoning plans. The reduction in the required buffer is due to a 20-foot easement for a fiber line that is wooded next to the property, resulting in over 50 feet of buffering.

There were no further comments in favor of the request and no "raised hands" via Zoom.

Chris Hardin, 1511 Choyce Johnson Road, spoke against the variance request as he owns adjoining property and would like to 50-foot buffer to remain in addition to the easement.

Chad Howard, Thornwood Subdivision, spoke against this rezone due to the two-story building being located at the exit to his neighborhood and not uniform with the existing area. He stated a traffic analysis was not completed, so the traffic impact is not known.

Mike White, who lives next to the property, spoke against the variance for reducing the 50-foot buffer setback.

Nadia Villa, 1071 Melrose Court, spoke against reducing the 50-foot buffer next to her property.

Christopher Stevens, Melrose Farms, spoke against the rezone and the variance request.

Scott Borden, 1070 Princeton Lane, spoke in opposition of the rezone and questioned the need for another self-storage facility.

There were no further comments against the request and no "raised hands" via Zoom.

Rebuttal:

Frank Pittman with Pittman and Greer Engineering, 1050 Barber Creek Drive, addressed the questions and concerns raised against the proposal. He explained there will be more than a 50-foot buffer between this development and the current property owners due to the easement.

The Public Hearing was closed.

Commissioner Harden asked whether any zoning classification allowed self-storage without a special use, and Mr. Herring answered there is not. He confirmed the corner is already rezoned for a convenience store. He confirmed that Mr. Pittman did not ask for an additional buffer in the original rezone. There was discussion about Building 400 not being a split level.

Commissioner Horton asked what year the adjoining subdivision was formed to which some residents answered the 1990's. However, their homes were purchased much later. Mr. Herring stated in 2015 this property was rezoned to commercial use for a brick mason company to include offices, warehouse space, and outdoor storage yard.

Commissioner Thomas clarified the zoning would not change, just the self-storage use and buffer. He also confirmed the original plan would affect the traffic more than this proposed plan.

Commissioner Harden questioned the signage allowed.

Commissioner Saxon received clarification on the required fencing. Guy Herring explained that buffer width is based on use even though the zoning does not change.

ACTION:

Motion: Mark Saxon made a motion to approve Rezone No. P22-0295 for Halloran Masonry, Inc., change of conditions, ±7.11 acres, 1619 New High Shoals Road, with four conditions.

Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Mark Saxon, John Daniell
Voted Against Motion: Amrey Harden, Chuck Horton
None
Final Action: **Motion Passed 3-2 to approve Rezone #P22-0295 with four conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

ACTION:

Motion: Mark Thomas made a motion to approve Variance No. P22-0296 for Halloran Masonry, Inc., change of conditions, ±7.11 acres, 1619 New High Shoals Road, with two conditions.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, John Daniell
Voted Against Motion: Chuck Horton, Amrey Harden
Final Action: **Motion Passed 3-2 to approve Variance #P22-0296 with two conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

ACTION:

Motion: Mark Saxon made a motion to approve Special Use No. P22-0297 for Halloran Masonry, Inc., change of conditions, ±7.11 acres, 1619 New High Shoals Road, with two conditions.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Mark Saxon, John Daniell
Voted Against Motion: Chuck Horton, Amrey Harden
Final Action: **Motion Passed 3-2 to approve Special Use #P22-0297 with two conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Variance No. P23-0016:

Applicants:	Abe Abouhamdan
Owners:	Richard and Karen Maxson
Location:	1544 Edge Water Drive
Acreage:	±2.89
Zoning:	AR (Agricultural Residential District)
Request:	To place an accessory building/garage in the front yard instead of the rear yard

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AR (Agricultural Residential District) in the Rural Places Character Area. The applicants/owners request a Variance from UDC Sections 1304 (hardship variances) & Section 347.01 (relationship to a principal use) to construct an accessory building/garage in the front yard of the existing principal structure. Staff recommends approval with one condition.

The Public Hearing was opened.

Abe Abouhamdan, applicant and agent for the owners, spoke in favor of the variance requesting approval for two-car garage to be placed in front of the house, but still at least eight feet off the right of way.

*There were no further comments in favor of the request and no comments against the request.
Chairman Daniell asked if there were "raised hands" via Zoom and there were none.
The Public Hearing was closed.*

ACTION:

Motion: Mark Thomas made a motion to approve Variance P23-0016 for Richard and Karen Maxson, ±2.89 acres; 1544 Edge Water Drive.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against the Motion: None
Final Action: **Motion Passed to approve Variance #P23-0016 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Consent Agenda:

There were no items removed from the Consent Agenda.

ACTION

Motion: Mark Saxon made a motion to approve all items as presented on the Consent Agenda.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

- 1) Approval of OVP Gym HVAC – Operations SPLOST Project Change Order.
- 2) Approval of the Malcom Bridge Road Improvements.
- 3) Approval of the 4-H Memorandum of Understanding.
- 4) Approval of Clarification of Mars Hill Road on No Through Truck Ordinance.

Executive Session:

Motion: Mark Saxon made a motion to adjourn into Executive Session to discuss land acquisition, personnel, and litigation.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**
Adjourn into Executive Session: 7:04 p.m.

No action was taken in Executive Session.

Executive Session Adjourned: 8:16 p.m.

Regular Session:

Motion: Mark Thomas made a motion to adjourn back into Regular Session.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**
Adjourned into Regular Session: 8:17 p.m.

Discuss and Consider a Resolution Agreeing to Participate in the Opioid Settlement:

Presented by: Daniel Haygood, County Attorney
Discussion: County Attorney Daniel Haygood requested approval of a Resolution to participate in the national settlements of the Opioid Settlements and be bound by a forthcoming MOU with the

State of Georgia for this settlement. This would authorize the Chairman to sign this Resolution and anything else needed for the settlement.

ACTION

Motion: Chuck Horton made a motion to approve the Resolution.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Discuss and Consider a Settlement Agreement in the Donald Hammett Zoning Issue:

Presented by: Daniel Haygood, County Attorney
Discussion: County Attorney Daniel Haygood requested approval of a settlement agreement to allow this zoning matter to come back before the Board with a revised site plan. This would not go before the Planning Commission again.

ACTION

Motion: Amrey Harden made a motion to approve the Settlement Agreement.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Meeting Adjourned:

Motion: Mark Saxon made a motion to adjourn the meeting.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**
Meeting Adjourned: 8:19 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

4-4-23
Date