

**Oconee County Board of Commissioners Meeting
Administrative Building Commission Chambers
October 3, 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
Guy Herring, Planning and Code Enforcement Director
Kyle Stephens, Planner
Ethan Perry, Planner
Donna Norton, Budget Officer

Call to Order: 6:00 p.m.

Chairman John Daniell called the meeting to order.

Pledge of Allegiance:

County Commissioner Amrey Harden led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

Motion:	Chuck Horton made a motion to approve the October 3, 2023 Agenda.
Second:	Mark Saxon
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	Motion Passed.

Statements and Remarks from Citizens:

None.

Statements and Remarks from Commissioners:

Chairman Daniell thanked Presbyterian Homes for their substantial donation used to purchase the county's new Air Truck for the Fire Department. He also thanked the Commissioners for approving the purchase.

Approval of Minutes:

Minutes of September 12, 2023 Regular Meeting:

ACTION:

Motion:	Mark Saxon made a motion to approve the September 12, 2023 Regular Meeting minutes.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	Motion Passed.

Approval of Minutes:

Minutes of September 20, 2023 Town Hall Meeting:

ACTION:

Motion: Amrey Harden made a motion to approve the September 20, 2023 Town Hall Meeting minutes.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Approval of Minutes:

Minutes of September 26, 2023 Agenda Meeting:

ACTION:

Motion: Chuck Horton made a motion to approve the September 26, 2023 Agenda Meeting minutes.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

National 4-H Week Proclamation and Certificate Presentations:

Presented by: Daniel Queen, Oconee County 4-H Educator
Discussion: Commissioner Amrey Harden presented a proclamation to Oconee County 4-H recognizing National 4-H Week as October 1-7, 2023. Mr. Queen thanked the Commissioners for providing a time to celebrate 4-H and shared some annual highlights. Certificates were presented to students who excelled this year by becoming Masters, State Board Members or Junior Board Members:

- Hoke Lucas: Georgia 4-H State Board Representative
- Tyson Mathis: Northeast Senior Board President
- McCall Woodruff: Northeast Senior Board Member
- Molly Ann McLean: Northeast Junior Board President
- John David Marable: Northeast District Junior Board Vice-President
- Liam Garrett: Northeast Junior Board Member
- Sawyer Mathis: Northeast Junior Board Member
- Kate Healey: Northeast Junior Board Member
- Tyson Mathis: Master in Project Achievement for Forestry
- Conner Watson: Master in Project Achievement for Wildlife and Marine Sciences

Rezone No. P23-0160:

Applicants:	Carter Engineering Consultants
Owners:	1040 Garland LLC
Location:	1041 and 1061 Talus Street
Acreage:	±2.08
Zoning:	OIP (Office Institutional Professional District)
Request:	Modification to allow eleven smaller buildings instead of one per lot

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned OIP (Office Institutional Professional District) in the Community Village Character Area. The applicants/owners request a rezone modification to allow up to eleven buildings totaling not more than 20,000 SF rather than one building of not more than 10,000 SF on each lot as previously approved. The Planning Commission and Staff recommend approval of this request with five conditions.

The Public Hearing was opened.

Jeff Carter, Carter Engineering Consultants, requests approval for the rezone to allow for eleven smaller buildings as opposed to a 10,000 SF building on each lot.

There were no further comments in favor of the request.

Lawton and Mary Jones, 1021 Talus Street, requests consideration of a physical and visual barrier between their property and these properties where the business will be developed.

Rebuttal:

Jeff Carter stated a buffer would be provided along the property line that meets county regulations. The smaller buildings will be one story as opposed to two story as previously approved.

*There were no further comments.
The Public Hearing was closed.*

Commissioner Harden asked about the Leyland cypresses between these properties. He suggested adding a privacy fence between the properties to which Mr. Carter agreed. Commissioner Harden read a proposed sixth condition adding a privacy fence.

ACTION:

Motion: Amrey Harden made a motion to approve Rezone No. P23-0160 for 1040 Garland LLC, change of conditions or previous rezone, ±2.08 acres, 1041 and 1061 Talus Street with six conditions.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Rezone #P23-0160 with five conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Rezone No. P23-0153:

Applicants:	Pittman & Greer Engineering, PC
Owners:	UAL Holdings, LLC
Location:	Hog Mountain Road
Acreage:	±2.71
Zoning:	AG (Agricultural District)
Request:	B-2 (Highway 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 AG (Agricultural District) in the Civic Center Character Area. The applicants/owners request a rezone to B-2 (Highway Business District) for office use. Staff recommends rezoning this property to B-1 (General Business District) with five conditions. The Planning Commission also recommends B-1 zoning.

The Public Hearing was opened.

Justin Greer, Pittman & Greer Engineering, requests approval for the rezone for a small office park with a shared driveway.

*There were no further comments in favor of the request and no comments against the request.
The Public Hearing was closed.*

ACTION:

Motion: Mark Saxon made a motion to approve Rezone No. P23-0153 for UAL Holdings, LLC, AG (Agricultural District) to B-1 (General Business District), ±2.71 acres, 1911 Hog Mountain Road, with five conditions.

Second: Amrey Harden

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to approve Rezone #P23-0153 with five conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Rezone No. P23-0170:

Applicants:	Pittman & Greer Engineering, PC
Owners:	UAL Holdings, LLC
Location:	Hog Mountain Road
Acreage:	±1.70
Zoning:	AG (Agricultural District)
Request:	B-2 (Highway 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 AG (Agricultural District) in the Civic Center Character Area. The applicants/owners request a rezone to B-2 (Highway Business District) for a special use for min-warehouses and self-storage use. The Planning Commission and Staff recommend approval of the request with five conditions.

Special Use No. P23-0154:

Applicants:	Pittman & Greer Engineering, PC
Owners:	UAL Holdings, LLC
Location:	Hog Mountain Road
Acreage:	±1.70
Zoning:	AG (Agricultural District)
Request:	B-2 zoning with a special use approval for self-storage

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AG (Agricultural District) in the Civic Center Character Area. The applicants/owners request a rezone to B-2 (Highway Business District) and a special use for min-warehouses and self-storage use. The Planning Commission and Staff recommend approval of the request with seven conditions.

Variance No. P23-0159:

Applicants:	Pittman & Greer Engineering, PC
Owners:	UAL Holdings, LLC
Location:	1911 Hog Mountain Road
Acreage:	±1.70
Zoning:	AG (Agricultural District)
Request:	Reduce the required 50-foot buffer along the rear of the property to 25 feet

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AG (Agricultural District) in the Civic Center Character Area. The applicants/owners request a rezone a special exception variance from UDC sec. 806 to reduce the required 50-foot buffer along the rear of the property to 25 feet. Staff recommends approval of the request with two conditions.

The Public Hearing was opened.

Justin Greer, Pittman & Greer Engineering, requests approval for the rezone to allow for small mini-warehouse storage facility. Mr. Greer agreed to the climate control condition due to this project being designed for office document storage. The variance request is to be consistent with the adjoining properties.

*There were no further comments in favor of the request and no comments against the request.
The Public Hearing was closed.*

ACTION:

Motion: Mark Thomas made a motion to approve Rezone No. P23-0170 for UAL Holdings, LLC, AG (Agricultural District) to B-2 (Highway Business District), ±1.70 acres, Hog Mountain Road, with five conditions.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Rezone #P23-0170 with five conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

ACTION:

Motion: Mark Thomas made a motion to approve Special Use No. P23-0154 for UAL Holdings, LLC, to allow self-storage use, ±1.70 acres, Hog Mountain Road, with seven conditions.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Special Use #P23-0154 with seven conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

ACTION:

Motion: Mark Saxon made a motion to approve Variance No. P23-0159 for UAL Holdings, LLC, reduction in buffer ±1.70 acres, Hog Mountain Road, with two conditions.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Variance #P23-0159 with two conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Rezone No. P23-0157:

Applicants:	Pittman & Greer Engineering, PC
Owners:	Rhino Mini Storage, LLC
Location:	1052 Moreland Heights Road
Acreage:	±8.37
Zoning:	OIP (Office Institutional Professional)
Request:	Modification to allow for change in configuration and increase the maximum allowed office area to 23,400 SF

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned OIP (Office Institutional Professional District) in the Civic Center Character Area. The applicants/owners request a modification from the previously approved rezone to allow for change in configuration of the office components and increase the maximum allowed office area from 20,000 SF to 23,400 SF. The Planning Commission and Staff recommend this rezoning modification with six conditions.

The Public Hearing was opened.

Justin Greer, Pittman & Greer Engineering, requests approval for the rezone for smaller buildings as opposed to one larger building. He pointed out that condition five would only apply to these buildings, not the assisted living facility.

*There were no further comments in favor of the request and no comments against the request.
The Public Hearing was closed.*

Commissioner Horton asked about the type of siding on the assisted living building which will be a hardy-plank siding.

ACTION:

Motion: Mark Saxon made a motion to approve Rezone No. P23-0157 for Rhino Mini Storage, LLC, modification, ±8.37 acres, 1052 Moreland Heights Road, with six conditions.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Rezone #P23-0157 with six conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Special Use No. P23-0161:

Applicants:	Carter Engineering Consultants
Owners:	Johnny L. Baker, Jr.
Location:	1051 Baker Drive
Acreage:	±1.47
Zoning:	B-2 (Highway Business District)
Request:	Special use to allow mini storage facility in B-2 zoning

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property which is currently zoned B-2 (highway Business District) in the Regional Center Character Area. The applicants/owners request a special use approval to allow a mini storage facility in the B-2 district per Sec. 205.10 of the UDC. The Planning Commission and Staff recommend approval of this request with four conditions.

The Public Hearing was opened.

Jeff Carter, Carter Engineering Consultants, requests approval for the special use to allow for self-storage facilities on the back portion of the property. The owner agrees to all conditions except number four as the building can not be seen from the road. They would propose only three sides be brick or stone.

*There were no further comments in favor of the request and no comments against the request.
The Public Hearing was closed.*

Commissioner Horton asked if at some time in the future that all sides could be seen.
Mr. Carter responded only if all trees were cut down could it be seen by other commercial properties.

Commissioner Harden questioned the dark line to the left side of the property rendering.
Mr. Carter responded it was a retaining wall.

Chairman Daniell asked about the adjoining properties and whether all sides were required brick or stone.
Guy Herring responded they have been zoned for all sides be brick or stone.

Commissioner Thomas questioned whether the building would be recessed below the retaining wall.

Mr. Carter responded that it would so the back of the building could not be seen.

ACTION:

Motion: Mark Saxon made a motion to approve Special Use No. P23-0161 for Johnny L. Baker, Jr. to allow for mini storage in B-2 zoning, ±1.47 acres, 1051 Baker Drive, with four conditions.

Second: Chuck Horton

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to approve Special Use #P23-0161 with four conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Variance No. P23-0180:

Applicants:	Sarah & Elias Hernandez
Owners:	Sarah & Elias Hernandez
Location:	1149 Kirkland Road
Acreage:	±6.11
Zoning:	AG (Agricultural District)
Request:	Special Exception Variance to reduce the side building setback from 25 feet to 10 feet for a garage

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AG (Agricultural District) in the Rural Places Character Area. The applicants/owners request a special exception variance from UDC Sections 410.01.C92) to permit a 42' x 60' garage a minimum 10' from the property line but within the required 25' side yard setback. Staff recommends approval of the request with one condition.

The Public Hearing was opened.

Sarah Hernandez, 1149 Kirkland Road, requests approval of the variance to extend their current driveway and add a detached garage. Due to the location of the septic system, they request this variance to allow the contractor more room to build.

There were no further comments in favor of the request and no comments against the request.
The Public Hearing was closed.

ACTION:

Motion: Mark Thomas made a motion to approve Special Exception Variance No. P23-0180 for Sarah and Elias Hernandez, ±6.11 acres, 1149 Kirkland Road, reducing the side setback to ten feet, with one condition.

Second: Chuck Horton

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to approve Variance #P23-0180 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Variance No. P23-0196:

Applicants:	Ben Brandenburg
Owners:	Ben Brandenburg
Location:	1100 Loch Lomond Circle
Acreage:	±0.85

Zoning:	AR (Agricultural Residential District)
Request:	Special Exception Variance to reduce the side building setback from 25 feet to 10 feet for an addition to the residence

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AG (Agricultural District) in the Suburban Neighborhood Character Area. The applicants/owners request a variance from UDC Sec. 409.01 which requires all principal buildings to be at least 25 feet from the side property line. Staff recommends approval of the request with one condition.

The Public Hearing was opened.

Ben Brandenburg, 1100 Loch Lomond Circle, requests approval of the variance to allow for an addition to the existing residence. He spoke of the support from his neighbors.

*There were no further comments in favor of the request and no comments against the request.
The Public Hearing was closed.*

ACTION:

Motion: Chuck Horton made a motion to approve Special Exception Variance No. P23-0196 for Ben Brandenburg, ±0.85 acres, 1100 Loch Lomond Circle, reduction in setback with one condition.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Variance #P23-0196 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Discuss and Consider a New Alcohol License for B&T's Food Fresh:

Presented by: Holly Stephenson, County Clerk
Discussion: County Clerk Holly Stephenson requests approval of a new alcohol license for the retail package sale of beer and wine for Brunson & Triplett Enterprises, dba B&T's Food Fresh who are purchasing the Bell's food store at 2061 Hog Mountain Road, Watkinsville, Georgia. The registered agent, Mark Mulkey, is being RASS trained and the application is complete aside from the proof of ownership papers to be executed on October 12, 2023. The request is contingent upon the proof of ownership and Oconee County business license.

ACTION:

Motion to Confirm: Mark Saxon made a motion to approve the Alcohol License for Brunson & Triplett Enterprises, dba B&T's Food Fresh.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

Consent Agenda:

There were no items removed from the Consent Agenda.

ACTION

Motion: Chuck Horton made a motion to approve the consent agenda as presented.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None

Final Action: **Motion Passed.**

- 1) Approval of the Courthouse Elevator Modernization Proposal.
- 2) Approval of the FY24 Northeast Georgia Regional Commission Aging Services Contract Renewal.
- 3) Approval of the FY24 Northeast Georgia Regional Commission Transportation Services Contract.
- 4) Approval of the FY24 Resurfacing and LMIG Application.

Adjourned:

Motion:

Second:

Voted in Favor of Motion:

Voted Against Motion:

Action/Motion:

Meeting Adjourned:

Mark Saxon made a motion to adjourn the meeting.

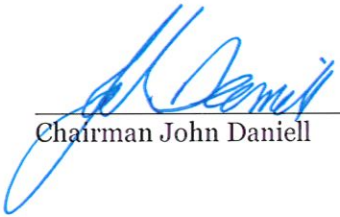
Mark Thomas

Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon

None

Motion Passed.

6:54 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

11-7-23
Date