

**Oconee County Board of Commissioners Meeting
Administrative Building Commission Chambers
October 1, 2024 – 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
Diane Baggett, Communications Manager
Melissa Braswell, Finance Director
Donna Norton, Budget Officer
Guy Herring, Planning and Code Enforcement Director
David Webb, Senior Planner
Kyle Stephens, Planner
Ethan Perry, Planner

Call to Order: 6:00 p.m.

Chairman John Daniell called the meeting to order.

Pledge of Allegiance:

County Administrator Justin Kirouac led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

Motion:	Mark Saxon made a motion to approve the October 1, 2024 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.

Statements and Remarks from Citizens:

None.

Statements and Remarks from Commissioners:

Commissioner Harden thanked emergency crews and the Road Department for their work during Hurricane Helene, as well as local citizens who are collecting and distributing supplies to those in need. Chairman Daniell stated the City of Bogart is collecting donations to take to the Augusta area. Chairman Daniell announced a Bat Festival will be held on Monday, October 14, 2024 at Heritage Park from 3-7pm. Also, a Town Hall Meeting will be held on Tuesday, October 8, 2024 at 6pm at the Oconee County Administrative Building.

Approval of Minutes:

Minutes of September 10, 2024 Regular Meeting and September 24, 2024 Agenda Meeting:

ACTION:

Motion:	Mark Thomas made a motion to approve the September 10, 2024 Regular Meeting minutes and the September 24, 2024 Agenda Meeting minutes.
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Minutes – October 1, 2024

Second: Chuck Horton
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 Agent
Discussion: Commissioner Harden presented a proclamation to Oconee County 4-H recognizing National 4-H Week as October 7-12, 2024. 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:

- o McCall Woodruff: Project Achievement, Horse Quiz Bowl, and Key Award
- o Sawyer Mathis: Master in Chicken BBQ
- o Tyson Mathis: National Conference Delegate
- o Danica Heeter: Horse Quiz Bowl
- o Molly Smith: Horse Quiz Bowl
- o Julia Thomas: Horse Quiz Bowl
- o Josie Ross: Northeast Junior Board Member

Rezone No. P24-0116:

Applicants:	Robert Scott
Owners:	Sapphire Property Rentals, LLC
Location:	2880 Monroe Highway
Acreage:	±17.387
Zoning:	AG (Agricultural District)
Request:	R-1 (Single-Family Residential District)

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring received a request to table the public hearing of Rezone No. P24-0116 until the next regularly scheduled meeting which would be November 5, 2024 if approved by the Board.

ACTION:

Motion: Mark Saxon made a motion to postpone Rezone No. P24-0116 for Robert Scott and Sapphire Properties, LLC until the November 5, 2024 meeting.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to table Rezone #P24-0116 until November 5, 2024.**

Rezone No. P23-0287:

Applicants:	Stanton Porter
Owners:	Kristen and Phillip Gibson
Location:	1030 Garrett Road
Acreage:	±2.48
Zoning:	AR (Agricultural Residential District)
Request:	Change of conditions of previous zoning P20-0143

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 Suburban Neighborhood Character Area. The applicant/owner requests a change of conditions of the previous zoning (P20-0143) to remove condition #3 which required a one-foot no-access easement along GA Highway 53.

The purpose of the driveway is for a planned access to a guesthouse that was constructed without permits. The Planning Commission and Staff recommend denial of the request.

The Public Hearing was opened.

Stanton Porter, attorney for the owner, requests the rezone in attempt to permit and zone the property the correct way. The owners purchased the property with the unpermitted structure undisclosed to them during the sale process. They intend to use the guest house for the owner's mother to live in with the current gravel drive to the property.

Kristen Gibson, owner, requests the rezone based on their purchase of the property to use the second structure as a guest house with no knowledge of the lack of permitting.

Jolinda Gibson, Ellijay water oak drive, spoke in favor of the rezone for a place to live on her son's property.

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

Commissioner Harden asked whether there was a buyer's agent and closing attorney at the time of sale. County Attorney Haygood explained the closing attorney should have explained this issue to the buyers. Mr. Porter explained they will pursue legal recourse dependent on the outcome of this rezone. Commissioner Horton confirmed with Mr. Herring that the current owners have done anything wrong. He stated the county has allowed a driveway to exist for a long period that should not be there. Commissioner Thomas suggested a driveway on the opposite side of the primary residence. Discussions continued between the Commissioners, the owner and the agent for the owner about the property history and driveway possibilities.

Variance No. P23-0288:

Applicants:	Stanton Porter
Owners:	Kristen and Phillip Gibson
Location:	1030 Garrett Road
Acreage:	±2.48
Zoning:	AR (Agricultural Residential District)
Request:	Reduction in required setback from 15 feet to 12.5 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 AR (Agricultural Residential District) in the Suburban Neighborhood Character Area. The applicant/owner requests a special exception variance to reduce the setback from 15 feet to 12.5 feet to construct a carport adjacent to an unpermitted residential structure. Staff recommends denial of the request.

Variance No. P23-0289:

Applicants:	Stanton Porter
Owners:	Kristen and Phillip Gibson
Location:	1030 Garrett Road
Acreage:	±2.48
Zoning:	AR (Agricultural Residential District)
Request:	Allow a guest house to have a separate driveway from the principal dwelling

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 Suburban Neighborhood Character Area. The applicant/owner requests a special exception variance to allow a guest house to have a separate driveway from the principal dwelling. Staff recommends denial of the request.

ACTION:

Motion: Mark Thomas made a motion to table the Rezone No. P24-0287, Variance No. P24-0288, and Variance No. P24-0289 for Kristen and Phillip Gibson, ±2.48 acres, 1030 Garrett Road to November 5, 2024.

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 table Rezone #P24-0116 until November 5, 2024.**
(See documentation in Ordinance and Resolutions Book No. 24.)

Variance No. P24-0135:

Applicants:	Patrick Perry
Owners:	Frank and Rachel Sikora
Location:	2480 Barnett Shoals Road
Acreage:	±4.0
Zoning:	AG (Agricultural District)
Request:	Special Exception Variance to allow a guest house in the front 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 AG (Agricultural District) in the Country Estates Character Area. The owner requests a variance from UDC Sec. 351.02 to allow a guest house to be placed in the front yard. Staff recommends approval of this request with one condition.

The Public Hearing was opened.

Patrick Perry, agent for the owner, spoke in favor of the request.

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 Variance No. P24-0135 for Frank and Rachel Sikora, request to allow a guest house in the front yard; ±4.0 acres, 2480 Barnett Shoals Road 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 #P24-0135 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 24.)

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 a Resolution for Alternate Courthouses.

- 2) Approval of a Change Order for the Bear Creek Water Treatment Plant Expansion Design Services with Necessary Budget Amendments for the Life of the Contract.
- 3) Approval of a Budget Amendment for 441 Scale Replacement.
- 4) Approval of Acceptance of Right-of-Way Deeds to Oconee County.

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:

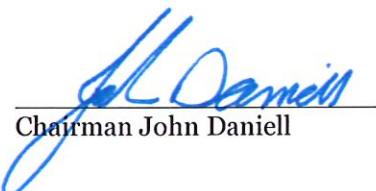
None

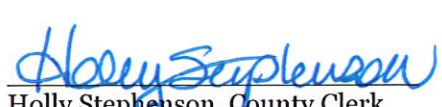
Action/Motion:

Motion Passed.

Meeting Adjourned:

7:15 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

11.5.24
Date