



## PUTNAM COUNTY PLANNING & DEVELOPMENT

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### Minutes

The Putnam County Planning & Zoning Commission conducted a public hearing on Thursday, September 6, 2018 at 6:30 p.m. in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

#### Opening

##### 1. **Call to Order**

Mr. James Marshall, Jr. called the meeting to order

##### 2. **Attendance**

Mr. Jonathan Gladden called the roll.

##### **Present:**

Chairman James Marshall, Jr.

Member Joel Hardie

Member Alan Oberdeck

##### **Absent:**

Member Tommy Brundage

Member Frederick Ward

##### **Staff:**

Lisa Jackson

Karen Pennamon

Jonathan Gladden

Courtney Andrews

##### 3. **Rules of Procedures**

Mrs. Karen Pennamon read the Rules of Procedures.

##### 4. **Approval of Minutes – July 5, 2018**

Motion to approve made by Member **Oberdeck**, Seconded by Member **Hardie**.

Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. **All approved.**

- ##### 5. Request by **Phillip & Maureen Phifer** for a front and rear yard setback variance at 126 Winfield Drive. Presently zoned R-2. [**Map 111A, Parcel 125, District 3**]. Mr. Phifer represented this request. He stated that he is requesting a 10-foot front yard setback variance, being 20 feet from the front property line and a 20-foot rear yard setback variance, being 80 feet

from the nearest point to the lake. Mr. Phifer stated that he is going to remove an existing house on the property and replace it with a new house. He added that the lot length is 144 feet and in order to place the house in the same location will require a variance. Mr. Oberdeck stated that he had no problems with the request. No one spoke in opposition to this request.

Staff recommendation is for approval of a 10-foot front yard setback variance, being 20 feet from the front property line and a 20-foot rear yard setback variance being 80 feet from the nearest point to the lake.

Motion to approve made by Member **Oberdeck**, Seconded by Member **Hardie**.

Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. **All Approved.**

6. Request by **David Tim Sherrod** side yard setback variance at 106 Gloria Drive. Presently zoned R-1. **[Map 086C, Parcel 067, District 4]. Request to withdraw without prejudice.** The applicant submitted a request to withdraw without prejudice.

Staff recommendation is for approval to withdraw without prejudice.

Motion to withdraw without prejudice made by Member **Oberdeck**, Seconded by Member **Hardie**.

Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. **All approved.**

7. Request by **Princeton Pirkle** for a side yard setback variance at 120 Bourbon Point. Presently zoned R-2. **[Map 087B, Parcel 006, District 4].** – Mr. Pirkle stated that he is requesting a 17.6 - foot right side yard setback variance, being 2.4 feet from the right-side property line when facing the lake for a storage building. He stated that when he constructed the storage building the only reasonable place to put it was onto an existing carport. He stated that the area to the left of the driveway is the only way to gain access to his septic tank. Mr. Marshall stated that he had visited the property with Mrs. Pennamon. He stated that the storage building was built without a permit, variances approvals and was built 2.4 feet from the property line which is a violation of the Putnam County Code of Ordinances. Mr. Marshall read the staff recommendation which is for denial and removal of the new storage building in a timely manner. He explained to Mr. Pirkle that if he did not agree with the decision that was made, he has the right to appeal the decision to the Board of Commissioners within 10 days. He added that Staff can provide him with information on the appeal process. Mr. Pirkle stated that the subdivision map had no setbacks on it. Mr. Marshall explained that all subdivisions are bound by the rules of the Putnam County Code of Ordinances. He added that there is a plan review process for any new construction and this was not done regarding the storage building.

Staff recommendation is for denial and removal of the new storage building in a timely manner.

Motion for denial and removal of the new storage building in a timely manner was made by Member **Oberdeck**, Seconded by Member **Hardie**.

Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. All approved.

Mr. Pirkle spoke to motion to reopen agenda item 7.

Motion to reopen item number 7 made by Member Oberdeck, Seconded by Member Hardie.

Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. All approved.

Motion to put item on table made by Member **Oberdeck**, Seconded by Member **Hardie**. All approved.

Motion to table item made by Member **Oberdeck**, Seconded by Member **Hardie**. **All approved.**

8. Request by **Shane Robbins, agent for Edward & Ellen Cherof** for a rear yard setback variance at 104 Bass Lane. Presently zoned R-2. [**Map 084C, Parcel 016, District 4**]. Mr. Shane Robbins represented this request. Mr. Robbins stated that the applicants are requesting a 25-foot rear yard setback variance, being 75 feet from the nearest point to the lake to construct a house. He stated that Mr. Robbins has done a great job with planning the placement of the proposed house on the lot. Mr. Marshall stated that he had visited the site with Mrs. Pennamon and had no problems with the request.

*Staff recommendation is for approval of a 25-foot rear yard setback variance, being 75 feet from the nearest point to the lake.*

Motion to approve made by Member **Oberdeck**, Seconded by Member **Hardie**.

Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. **All approved.**

9. Request by **Chris Daniels, agent for The Three Daniels, LLC** for a right and rear yard setback variance at 149 Mockingbird Drive. Presently zoned R-2. [**Map 030A, Parcel 011, District 1**]. Mr. Daniels represented this request. Mr. Daniels stated that they are requesting a 10-foot side yard setback variance, being 10 feet from the right-side property line and a 75-foot rear yard setback variance, being 25 feet from the nearest point to the creek. He added that he would like to construct a new residence in the same location as the previous house that had burnt down. Mr. Daniels stated that there is an existing carport located in the proposed area which prevents moving the proposed structure further from the creek. Ms. Jackson stated that when a non-conforming existing structure is removed they must make sure the new development is in compliance with the ordinance, so the fact that it was 25 feet from the creek is because it existed prior to zoning. She added that although esthetically that is where he would like to place it, but the board must adhere to the ordinances. Ms. Jackson stated that their effort is to find the best possible remedy, so he can rebuild. She stated that because they could see a possibility for him to increase the setback and get as far from the water as possible. Mr. Daniels said the code specifically states that the setback is from the lake, but this is a creek. Ms. Jackson stated that it is open water and is considered the same. She added if E.P.D. (Environmental Protection Division) were involved, they would say it is all considered State Water. Mr. Marshall read the staff recommendation and stated that they are bound by State law to enforce the Code of Ordinances. Mr. Marshall explained to Mr. Daniel that if he did not agree with the decision that was made, he has the right to appeal the decision to the Board of Commissioners within 10 days. He added that Staff can provide him with information on the appeal process.

*Staff recommendation is for approval of a 10-foot side yard setback variance, being 10 feet from the right-side property line and a 50-foot rear yard setback variance, being 50 feet from the creek.*

Motion to approve made by Member **Oberdeck**, Seconded by Member **Hardie**.

Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. **All approved.**

10. Request by **Bonnie B. Roberts** to rezone 9.09 acres from R-1 to AG-2 at 365 Scuffleboro Road. [**Map 111, Parcel 001048, District 4**]. \* No one was present to represent this request. Mr. Marshall read the staff recommendation.

*Staff recommendation is for approval to table item.*

Motion to table item made by Member **Oberdeck**, Seconded by Member **Hardie**.  
Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. All approved.

11. Request by **Charles D. Carter** to rezone 1.1 acres from AG-1 to R-1 at 127 Rockville Road. [**Map 117 Part of Parcel 028, District 3**]. \* Mr. Carter stated that he is requesting to rezone 1.1 acres out of 9.08 acres from AG-1 to R-1 for an estate settlement. He stated his sister wants the existing house located on the property and they want to subdivide it out for her. Mr. Carter added that this land also backs up to his personal property. Ms. Jackson read the staff recommendation and explained that if the request is approved, all parcels must be re-platted which include the parcel that is being subdivided and the parcel that is being added to the adjacent parcel. She added that after both parcels are re-platted, both plats must be submitted at the same time.

*Staff recommendation is for approval to rezone 1.1 acres from AG-1 to R-1 with the following conditions: (1) the 7.98 acres must be combined with the adjacent parcel: Map 117 Parcel 031 and cannot be used or sold as a standalone parcel, (2) this rezoning shall be conditioned upon the resurveying and the recordation of all new plats as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.*

Motion to approve with conditions made by Member **Oberdeck**, Seconded by Member **Hardie**.  
Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. **All approved.**

12. Request by **Marshall & Angela Criscoe** to rezone 15 acres from AG-1 to AG-2 at 355 Harmony Road. [**Map 072, Part of Parcel 010, District 1**]. \* Mrs. Criscoe represented this request. Mrs. Criscoe stated that they are requesting to rezone 15 acres out of 84.27 from AG-1 to AG-2 to keep 15 acres and sell 67.37 acres. Mr. Marshall read the staff recommendation.

*Staff recommendation is for approval to rezone 15 acres from AG-1 to AG-2 with the following condition: (1) this rezoning shall be conditioned upon the resurveying and the recordation of all new plats as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.*

Motion to approve with conditions made by Member **Oberdeck**, Seconded by Member **Hardie**.  
Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. **All approved.**

13. Request by **Mary Margaret Oliver, agent for Estate of Diane Smith McIver and Claude L. McIver, III** to rezone 1.89 acres at 599 Pea Ridge Road from AG-1 to R-1. [**Map 090, Part of Parcel 002, District 2**]. \* Attorney Mary Oliver represented this request. She stated that the applicants are requesting to rezone 1.89 acres out of 84.57 acres from AG-1 to R-1 for an estate settlement. Attorney Oliver stated that she is the court appointed administrator of the estate for the late Diane McIver. She added that Mr. and Mrs. McIver were joint title holders of this property until Mrs. McIver's death in a recent tragedy. Attorney Oliver stated that she is carrying out the wishes of Mrs. McIver's to leave 1.89 acres of this property to the Hernandez family who have lived on this property for over 17 years. Ms. Jackson gave her condolences to the family. Mr. Marshall read the staff recommendation.

*Staff recommendation is for approval to rezone 1.89 acres from AG-1 to R-1 with the following condition, (1) this rezoning shall be conditioned upon the resurveying and the recordation of all new plats as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.*

Motion to approve with conditions made by Member **Oberdeck**, Seconded by Member **Hardie**.  
Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. **All approved.**

14. Request by **Terry Aaron** to rezone 3 acres at 706 Twin Bridges Road from AG-1 to C-2. [**Map 057, Part of Parcel 002, District 4**]. \* Mr. Aaron represented this request. Mr. Aaron stated that he requesting to rezone 3 acres out of 25.7 acres from AG-1 to C-2 for a commercial use. Mr. Marshall read the staff recommendation.

*Staff recommendation is for approval to rezone 3 acres from AG-1 to C-2 with the following condition: (1) this rezoning shall be conditioned upon the resurveying and the recordation of all new plats as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.*

Motion to approve with conditions made by Member **Oberdeck**, Seconded by Member **Hardie**.  
Voting Yea: Chairman Marshall, Member Hardie, Member Oberdeck. All approved.

## **New Business**

### **Adjournment**

Meeting adjourned 7:20 p.m.

Attest:

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Lisa Jackson  
Director

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James Marshall, Jr.  
Chairman