



Board of County Commissioners

Office of Planning & Development

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**Camden County Planning Commission
Teleconference Regular Meeting
Wednesday, January 27, 2021 6:00 PM**

MINUTES

- A) **INVOCATION:** N/A
- B) **ROLL CALL:** Commissioner Robbie Cheek, Commissioner Larry W Martin, Commissioner Glenn Ivey, Commissioner Donald Koski, Planning Director Joey Yacobacci and Planning Coordinator Cindy Daniels were present.
- C) **ELECT A CHAIRMAN AND VICE:** Planning Director Joey Yacobacci called the meeting to order at 6:00 PM. He asked for nominations for Chairman to the Planning Commission.

Commissioner Martin made a motion, seconded by Commissioner Cheek to nominate Commissioner Koski as Chairman.

Commissioner Martin – Yes

Commissioner Ivey – Yes

Commissioner Koski – Yes

Commissioner Cheek – No vote – Line dropped.

The motion carried unanimously.

Chairman Koski took over the meeting and asked if there were any nominations for Vice Chairman.

Commissioner Ivey made a motion, seconded by Commissioner Cheek to nominate Commissioner Martin for Vice Chairman.

The motion carried unanimously.

- D) **ADDITION AND/OR DELETIONS TO THE AGENDA:** Delete items #'s 2, 3 and 5 from the Agenda.
- E) **ADOPTION OF AGENDA:** Vice Chairman Martin made a motion, seconded by Commissioner Ivey to adopt the agenda as amended.

The motion carried unanimously.

- F) **APPROVAL OF MINUTES: December 16, 2020:** Commissioner Ivey made a motion, seconded by Vice Chairman Martin to approve the December 16, 2020 regular meeting minutes.

The motion carried unanimously.

G) **NEW BUSINESS**

1. **Zoning Variance – ZV2020-12** – Request to allow a side yard setback variance in (R-1) Single-Family Residential zoning. Property is Located at 98 Windsor Cir. Tax Map 119 043. Ricky Stanley, applicant, Ricky & Sharon Stanley, owner.

John Burluson, 806 S. Julia St, St. Marys is familiar with the property and gives his approval for the variance.

Commissioner Cheek had a question for the applicant, why the storage building was not located somewhere else on the property away from the air conditioning pads that does not require a setback variance? The applicant did not call into the meeting. It is a concern to me because it is a storage building. Not a mother-in-law suite, a building tied to the home for residential use, it would be a different story. But, he applied for a storage building and it just seems to me like space issues are a problem. Secondly, some of the subdivision plats, the parent plat have a blanket drainage easement on all 4 property lines, but this one does not. Bennett shows the drainage on the front, the side. He does not show it on the side for his building. I don't think it is part of the plat in this case but my concern is why he couldn't put this storage building further back in this property and not get this setback variance. He has plenty of property. Almost an acre. It's a matter for discussion. Not saying I'm against it, but it's something to think about.

Chairman Koski – I agree with your comment because of the air conditioning units. How would you get in there to change them if you had to?

Commissioner Cheek – Absolutely. The building on the drawing, that's the wall section plus there is a 15' overhang. It's very tight to try to squeeze that building in where he has it and I don't know the reason for that without the applicant being able to tell us. That's my biggest concern. There is no dimension on the drawing showing the distance between the building and the existing building and the proposed building. By scale it looks like 20', but I can't say that because I don't know. I think the building is located in a pretty difficult area.

Chairman Koski – I think I agree with you. Those 2 air conditioners right there. They are going to be boxed in there. I don't know what they are going to do if they have to do any maintenance on them.

Commissioner Cheek – There may be some restrictions in the rear where drain fields are located at. That may be one reason he located it up front, but we don't know that. I think he has enough space to do that without having to do a setback variance.

Chairman Koski – Joey, did any of that come up when you were talking about the application?

Planning Director Joey Yacobacci – No. But, I can tell you that there are building codes that will prevent you from placing a building to close to a condensing unit. There are building codes that not necessarily prevent you from putting it to close to a building, but there are other procedures that you have to take against putting it too close to another building. So, all that would be attended to by the building inspector.

Chairman Koski – Should that be addressed before or after we approve it?

Planning Director Joey Yacobacci – That's during the building phase. All that would have already been addressed by the building inspector on the plans. It's totally separate from the setback variance.

Robbie Cheek – Joey, does he have a building permit now?

Planning Director Joey Yacobacci – Yes, he does.

Chairman Koski – It looks like he is already getting ready to pour a foundation.

Any other discussion? It looks to me like the only person hurt by this would be him if it's too close and if the inspector has already approved it.

Is there any other further discussion? Can I get a motion to approve it?

Vice Chairman Martin made a motion, seconded by Commissioner Ivey to accept staff's recommendation for approval.

Chairman Koski – Yes

Vice Chairman Martin – Yes

Commissioner Cheek – No

Commissioner Ivey – Yes

2. **Zoning Variance – ZV2020-13** – Request for rear yard setback variance in (A-F) Agricultural Forestry zoning. Property is located on Big Pine Dr. in Kingsland. Tax Map 070C 004. Sharon Zawislak, owner. Beltline Energy LLC, applicant.
3. **Zoning Variance – ZV2020-14** – Request to allow a rear yard setback variance in (A-F) Agricultural Forestry zoning district. Property is Located on HWY 40 in Kingsland. Tax Map 070 002. Beltline Energy LLC, applicant, Dwight & Susan McCollough, owner.
4. **Zoning Variance – ZV2020-15** – Request to allow a side & front yard setback variance in (A-R) Agricultural Residential zoning district. Property is Located at 191 Cavader Harrell Rd. in White Oak. Tax Map 016 012B. Eric Miller, applicant, Eric & Ashley Miller, owner.

Chairman Koski – I'm trying to figure out where this would be. In the request, he's talking about building a garage and on the map it shows a shop. I'm trying to figure out where the garage will go on that property unless the garage and the shop are the same thing.

Planning Director Joey Yacobacci – The shop and the garage are the same thing.

Chairman Koski – Well I don't have any problem with that.

Can I get a motion on this?

Vice Chairman Martin made a motion, seconded by Commissioner Ivey to approve.

Commissioner Cheek asked for a discussion on the item stating he was not against this as he said. Cavader Harrell Rd is an existing county dirt road. It's not on the paving list at this point, but particularly, what the county does is it's a 30' right-of-way, which I think Cavader Harrell Rd is now, if I read the survey correctly. So, what the county does is typically to go in and try to get 15 additional feet on each side because the county requires 50' total of right-of-way to pave a road. If this variance is approved, that is going to put this garage 5' inside the future right-of-way. That means two things. One is the garage has to be moved or the right-of-way acquisition will have to be moved to the other side of the road to take more from the projected property owner. I don't know when it's on the paving list.

Chairman Koski – That's a street, right?

Commissioner Cheek – Now Cavader Harrell Rd is not a paved Rd. It's not on the paving list according to public works. But, just so we all know if it ever comes up on the paving list this building is not in compliance. The structure will have to be moved or the county will have to get right-of-way from the other property across the road. We don't know when it's going to be on the paving list. It could be next week, next year, it could be two years from now. Who knows? I just want to make everybody aware of that there is a potential that this garage could at some point impact future right-of-way acquisitions. But, because of where it's located fairly rural, I don't have a problem with it necessarily. I just want to bring that out.

Chairman Koski – That’s a good point.

Commissioner Ivey – This is kind of the same situation we were just talking about. There is plenty of room on the lot for the garage rather than fixing it up on the road.

Commissioner Cheek – Absolutely. I would be more comfortable saying we were asking for a 25’, you know 30’ now, but if they could move it 25’. That takes away the future problem. My thoughts are it needs to be 25’ rather than 10’. All that does is protect future issues. We don’t know what the future is whether it’s 5, 10, 15, 20 years. Who knows? When I say that we need to think about everything that comes along on a dirt road. Is it going to be a dirt road? What’s the future going to bring? What’s the right-of-way acquisition going to be? Not to beat a dead horse, but typically, the county tries to get equal distance on each side of the road. In this case they would need 15’. He’s asking for a 10’ variance so he’s going to be 5’ in, not in compliance and a potential to have a garage or whatever happens at that point. It would be much better if he could move it over to 25’. That covers all future issues and looking at the survey, I know he did his own survey and there may be some other restrictions I may not know about. He has room to move it over I think. That’s without knowing anything more about the property.

Chairman Koski – This map shows behind the shop another building or something, Joey.

Commissioner Cheek – I’m not sure what that is. I saw that. What is it? It shows the shop, its a square and it’s not labeled so I don’t know if it’s existing or not.

Chairman Koski – Joey, are you there?

Planning Director Yacobacci – Yes, I’m here. I’m with you guys. Whatever is marked? I don’t know.

Commissioner Cheek – I don’t see anything. I mean I don’t know what’s there. Again, I’m not against it. It’s the same kind of situation where he could put it somewhere else.

Chairman Koski – Move it back further right.

Commissioner Cheek – Although, it being equal, the county would take 15’, so he would need to move it back to 25’ and it still requires a setback variance because I think the front yard is 30’, right Joey?

Chairman Koski – The map shows two buildings there already. I rode out there and looked at it but I didn’t have the paperwork when I got it.

Commissioner Cheek – It’s a home and something else. That home’s already there obviously.

Chairman Koski – Well, we’ve got a motion to approve it. After hearing this discussion, do I get a vote on the approval of the motion?

Commissioner Ivey – I think we’ve gotten a little off what we normally do. If I’m not mistaken, I think we open with discussion before there is any motion. These two cases here, I don’t know if we can back up.

Chairman Koski – We haven’t had a vote on it yet so we can vote no on the approval and take another look at it.

Commissioner Cheek – So if we vote no, the motion can be redone and brought back now today?

Chairman Koski – I would think the discussion could change it. Joey, what do you think?

Planning Director Yacobacci – Glenn, do you have a discussion point? You guys can discuss it right now before the vote.

Commissioner Ivey – I don't have anything to add to the discussion. I believe in past meetings, we called for discussion before anybody makes a motion. That way we can listen to the other persons point and it kind of changes your mind.

Planning Director Yackobacci – Glenn, you are correct about that.

Commissioner Cheek – I hope I'm not out of order Mr. Chairman.

Chairman Koski – No. You're not. When I asked for a motion, I wasn't clear on asking for discussion. That was my mistake.

Commissioner Cheek – Glenn, you made the original motion. Was that right?

Chairman Koski – Larry made the original motion and Glenn did the second.

Commissioner Cheek – If we want to change anything, can Larry amend his original motion? This seems like rule of the board. I'm not sure how we would handle it here. Can the motion be amended based on the discussion or how do we do that?

Planning Director Yacobacci – The motion can be amended.

Chairman Koski – So do I hear a motion to amend the motion? Larry are you here?

Commissioner Cheek? I think Larry has to amend it.

Vice Chairman Martin – Since I made the motion, I believe somebody else would have to amend the motion.

Planning Director Yacobacci – No. Larry would have to amend his own motion.

Commissioner Cheek – That's right.

Vice Chairman Martin – Amend it with what? Withdraw the motion? Would that be the cleanest thing to do?

Planning Director Yacobacci – Yes. You can do that.

Vice Chairman Martin – I think the simple thing to do here....Glenn if you would withdraw your second, I will withdraw my motion then we can continue with the discussion as you suggested and see if that produces a new motion rather than amend what's there.

Commissioner Ivey withdrew his second to Vice Chairman Martin's motion.

Vice Chairman Martin withdrew his motion and stated they now have a continuing discussion with no motion on the floor.

Chairman Koski – Do we have any further discussion on this subject?

Commissioner Ivey – I will say what Robbie said before. Asking them to move it back. Can we approve it upon that condition that he moves it back further?

Chairman Koski – Yes. We could do that or we could disapprove his application.

Commissioner Cheek – Joey, if we deny the application, is there a time frame where he can't bring it back for a certain period of time?

Planning Director Yacobacci – Yes there is and I would speak to him about this afterwards.

Chairman Koski – What is the time period?

Planning Director Yacobacci – I believe it’s 6 months.

Commissioner Cheek – 6 months

Vice Chairman Martin – Has he poured his foundation?

Chairman Koski – When I looked at it I couldn’t tell if there was a foundation or not. There is a building there but I don’t think it’s the building he’s talking about because it’s much bigger.

Planning Director Yacobacci – We’re not aware of anything that’s been done. He hasn’t been issued a building permit at all.

Vice Chairman Martin – Why not take Robbie’s input and approve it upon the condition that it will allow for?

Chairman Koski – Well a motion is off the floor, so Robbie do you want to put a new motion in?

Commissioner Cheek – Yes, Let’s have a general discussion first. I want to take care of the needs of the applicant. So Joey, if I made a motion to amend his request instead of 10’ to go to 25’ which takes care of the future right-of-way issue. Does that bind him to that or do we ask him to come back next month with a revised request?

Joey Yacobacci – I believe you have the option to approve or deny. You can put a condition on it.

Commissioner Cheek made a motion, seconded by Commissioner Ivey to approve the application with the condition to move the building back to 25’ from the right-of-way line instead of the 10’ requested by the applicant.

The motion carried unanimously.

- 5. **Special Use – SU2020-08** – Request for a Special Use approval to allow a Solar Farm Generating Facility in an (A-F) Agricultural Forestry zoning. Property is located on Big Pine Dr. in Kingsland. Tax Map 070C-004. Sharon Zawislak, owner. Beltline Energy LLC, applicant.
- 6. **Special Use – SU2020-09** – Request for a Special Use approval to allow a Manufactured Home in an (R-2) Multi-Family Residential zoning. Property is located on Hickory Bluff Rd. Tax Map 125D 016. James John, owner & applicant.

Commissioner Ivey made a motion, seconded by Commissioner Cheek to accept staff’s recommendation for approval.

The motion carried unanimously

- 7. **Rezoning- RZ2020-09** -Request to assign a Single-Family Residential (R-1) zoning and a Future Land Use Map Amendment **FLU2020-04** to “Residential”. Property is located at 393 Bambi Dr. Parcel ID 121A 011A. Roland & Patricia Simard, owner & applicant.
- 8. **Rezoning- RZ2020-10** –Request to assign a Single-Family Residential (R-1) zoning and a Future Land Use Map Amendment **FLU2020-05** to “Residential”. Property is located at 335 Bambi Dr. Parcel ID 121A 011. Sherry Kistler, owner & applicant.
- 9. **Rezoning- RZ2020-11** –Request to assign a Single-Family Residential (R-1) zoning and a Future Land Use Map Amendment **FLU2020-06** to “Residential”. Property is located at 987 Bambi Dr. Parcel ID 121A 011B. Douglas & Daniel Udy, owner & applicant.

Item #s 7, 8 & 9 were bundled together for presentation and approval.

Roland Sinard, 393 Bambi Dr, St. Marys – Already got through St. Marys Planning Commission. They voted 2-1.

Commissioner Cheek – Joey, if you go to R-1, are there any issues with these 3 lots?

Planning Director Yacobacci – No issues at all.

Vice Chairman Martin made a motion, seconded by Commissioner Cheek to bundle approval of item #s 7, 8 and 9 with recommendation of staff.

The motion carried unanimously.

H) OTHER BUSINESS: N/A

I) ADJOURNMENT: Commissioner Ivey made a motion, seconded by Commissioner Cheek to adjourn the meeting at 6:38 PM.

The motion carried unanimously.