



LUMPKIN COUNTY Planning Commission

Regular Meeting Minutes

**342 Courthouse Hill
Dahlonega, GA 30533**

**May 11, 2026
5:30 PM**

Members Present: Robin Hall, Chris Adams, Derek Runyon, Barbara Bosanko, Trevor Eudy, Mireya Eavey

Staff Present: Vanessa McGrath, Martin Durand

CALL TO ORDER

Chris Adams called the meeting to order at 5:30 p.m. and read the Procedures for Meeting Announcement.

CONSIDERATION OF AGENDA

Robin Hall made a motion to approve the agenda as presented.

Second by Barbara Bosanko.

All members present voted in favor. Motion passed.

APPROVAL OF MINUTES

1. Trevor Eudy made a motion to approve the April 13, 2026, Regular Meeting minutes as presented.

Second by Robin Hall.

All members present voted in favor.

Motion passed.

OLD BUSINESS

2. Carried Over to May 11, 2026 meeting 141 - A variance request from North Georgia Interfaith Ministries to allow gravel parking and drives vs asphalt along with bio retention ponds to reduce impervious surface area and storm water runoff per Chapter 26 – Sections 26-604 (c) (3) & (4) Development Standards – Road Access. Jeremiah's Place is located at 1445, 1451, 1455 & 1461 Red Oaks Flat Road, Tax Parcels 098-280 and 098-337, and is within the Industrial Character Area.

Vanessa McGrath spoke on items 2, 3 and 4 since it is the same location, same project. Jeremiah's Place is looking to add additional units at their location at Red Oak Flat Red Oaks Flat Road. The addresses are 1445, 1451, 1455 and 1461 Red Oak Flats Road. They're on parcels 098-280 and 098-337. They're in industrial character area on an arterial road. They will have to combine the parcels to be able to permit building permits over that property line. They're asking for a multifamily plan that has to be approved by the planning commission. They are requesting two variances. The first variance request is for section 26-604 (c) (3) & (4). Three states that all roads, parking areas and driveways within the

development shall be paved to the county standards, and four states that all multifamily developments, does not include single family or single duplex units, must have curb and gutter with property designed stormwater control systems. They would like to have no curb and gutter, and have gravel for the driveways and parking. The second variance request is from 26-604 (d) (1) for setbacks. This requires a minimum of twenty-five-foot separation between the structures, except for garages, carports, and storage units provided as accessory units to the apartments. Jeremiah's place is requesting a twenty-foot setback between the units. The last item for this property is the actual approval of the site plan for the multifamily development at Jeremiah's place, and they currently have four buildings with two units in each building. One unit is being used as an office. They are right now on well and septic. The requirements for shared community well and septic are four bedrooms per unit per acre. The land is 4.14 acres, so currently the max would be sixteen bedrooms, but the septic would have to be increased. They are looking to attach to the water and sewer, which they have already got approval from the water and sewer authority, allowing a density of up to twelve bedrooms per acre, increasing the total allowable units to forty-eight bedrooms. They would like to add an office, and the plan shows thirteen new one-bedroom duplexes on the site, bringing the total number of bedrooms to thirty-four. Other than the variances, the plan meets the multifamily requirements.

David Odom spoke for Jeremiah's Place. Vanessa has pointed out that they meet the requirements except for the two variance items being sought. They will be tying into the water and sewer. Actually, there is already a tie-in to water now. Because of the Animal Shelter facility and what is going on there, they have worked out with the Water and Sewer Authority to be able to tie into their sewer line that is going in. There was a conversation about figuring out how to have the least impact. On their plans they are not doing big buildings, these are small duplex units. They look more like a residential setting than a typical apartment building. The first variance was to try to reduce the stormwater runoff. David Odom has used pervious parking surfaces in some of the developments he has done recently, whether it be gravel or pavers or those types of things, to try to reduce the amount of impervious surface. If they can use gravel as opposed to curb and asphalt, that will greatly reduce their stormwater runoff, and they hope that they can handle all of that run off through bio retention, as opposed to concrete detention ponds or structures on them. Then the other request they were asking for is to reduce the setback of twenty-five feet between the buildings to twenty, which is pretty typical of most every other jurisdiction. This allows plenty of separation for fire and access. A typical easement is usually in the twenty-foot range. They hope this will be something they can do to grow their project. It is not a typical apartment project; it has controlled entry. Jeremiah's Place people control everything by who is in there and who is not in there, so it is not expected to get a lot of traffic. They do want to be able to add the office building to be able to free up one of the units that is currently being used as an office now. Then that area that one sees sort of behind where the office is, will continue to be a playground for the kids.

Public Hearing was opened.

James Shelton spoke. He lives nowhere near the project. However, his profession is that of a groundwater specialist. He heard the gentleman say that they would use pervious surfaces to eliminate the use of a retention pond, but they would keep the area for the play area. Mr. Shelton has seen projects like this happen before, and even when gravel is used

instead of asphalt, gravel ends up washing away years down the road. Someone then comes in and uses tar and chips instead of putting asphalt down as a loophole because it is still considered a permeable surface. Ultimately, what ends up happening is that later on, sections have to be removed. He just had a project like this the other day. They have to remove sections like playgrounds, remove that, and divert all the surface water into an underground retention pond, and then lead off and then end up putting it back. It costs the community hours of time, inconvenience, and mud on the highways from these trucks having to come in after the fact. Mr. Shelton would like to state that for a project like this, getting away from retention ponds is a very bad idea, and that is just his personal thought and opinion.

Steve Sylvester stated he did not hear that the hardship was directly attributable to the property's characteristics. His first and foremost objection was that he heard they would like to use gravel instead of asphalt, curb, and gutter. The other concern was that they would be able to put more units in if the setback was reduced from 25 to 20 feet. He questioned whether it would become standard when somebody asks for a multifamily dwelling, they would not be required to put in asphalt, or if setbacks would be shrunk so they could get more units in.

Public Hearing was closed.

Mr. Odom stated regarding the first concern, it was stated that this is not a typical multifamily project to begin with. It is very selective about who can even live there, and it is under the control of Jeremiah's Place. Whatever would happen there would be their responsibility to maintain anyway. It was noted that, in the course of going through permitting, as those present well know, hydrologist studies will be done. These studies will determine how much outflow there is and what difference the gravel will make. It is difficult to speculate about whether or not someone is going to come and put tar on it twenty years down the road, but this is what they want to do today. As far as the twenty-foot separation goes, it is not really allowing them to put that many more units, if any. It is what it is allowing them to do is just be more efficient with what they do.

Chris Adams raised the point that for a variance request, the criteria for hardship must be articulated as part of the application, and he asked the applicant to discuss the hardship that led to the request.

Mr. Odom clarified that while there is an economic component, it is not the primary variable being emphasized in this setting. The development work undertaken by him over the last few years has focused on consciously reducing stormwater runoff. They noted a shift in focus from only worrying about hundred-year storm events to now prioritizing water quality and cleaning the water. Mr. Odom explained that asphalt and curb systems typically direct all water to one spot or different outlets, making cleaning a larger issue. In contrast, their proposed method, using gravel, would allow most of the water (except during a major storm event) to go down through the gravel into the ground instead of leaving the site. They acknowledged that the site is adjacent to a rock quarry, which might influence the impact, and that they would also be dealing with state regulations. Mr. Odom stated that this request is not so much a specific hardship for them, but rather a commitment to "good environmental practices when possible." He clarified that if they were developing a 250-unit apartment project, they would not be making this request.

Robin Hall asked the applicant what was their plan would be if they said no to the variance requests?

Mr. Odom stated that they were speaking for themselves and not on behalf of Jeremiah's Place. His personal belief that it makes good practical sense, particularly in this situation, not to use asphalt and instead to spread out the water rather than carrying it all to one place.

Della Lago, Executive Director for Jeremiah's Place, stated that the reason for requesting the variances is directly tied to the non-profit's mission and financial constraints. Jeremiah's Place serves families experiencing homelessness, working intensively to help them regain stability. Ms. Lago emphasized that their small non-profit has a budget of only \$200,000, and all funds raised from the community are reinvested directly into the community. The hardship, as she understands it, is primarily the cost. She explained that there is a significant need for expansion, with 11 applications for only two available apartments. The variances are sought to optimize the use of donated dollars and allow them to provide more interim housing units. She clarified that this is not typical apartment living; it is temporary housing with controlled entry, where residents do not stay long-term. Ms. Lago framed the hardship as finding the most cost-effective way to expand their capacity to serve more families in need, while also considering what would be best for the property.

Robin Hall stated there are two main variances that are being requested. One is to do with the setbacks between the units and the other is to do with the surface. He asked if the setback variance was not granted would it totally stop the project or is there an alternative?

Ms. Lago stated she was not sure that it would totally stop it, but they would have to rethink how they would proceed.

Mr. Hall asked so they do have an alternative?

Della Lagon stated that they do not have an alternative plan because the current request is what they are seeking. She explained that the primary goal is to maximize the available space to serve their neighbors. She noting that a higher cost would reduce the number of units they could quickly implement and thus limit their ability to serve. She suggested that Dave might be able to discuss redesigning the entire plan.

Mr. Hall stated that he thinks he was speaking for the whole commission when he states they know what wonderful work Jeremiah's Place is doing and that they appreciate it.

Barbara Bosanko asked what the existing pavement is?

Mr. Odom stated the driveway coming in is asphalt. They are not talking about changing that part just the new part would be gravel.

Robin Hall asked if the proposed permeable surface be driven on or purely be for foot traffic?

Mr. Odom the new gravel would be driven and parked on.

Chris Adams asked if there was any more discussion or a motion for item 2 – Variance for the use of gravel for the drive and parking.

Barbara Bosanko made a motion to approve.

There was no second so the motion failed. Chris Adams asked if there were any other motions on the item.

Robin Hall made a motion to deny.

Mireya Eavey seconded the motion.

The vote was 4 for and 1 against (Barbara Bosanko)

The variance request from North Georgia Interfaith Ministries to allow gravel parking and drives vs asphalt along with bio retention ponds to reduce impervious surface area and storm water runoff per Chapter 26 – Sections 26-604 (c) (3) & (4) Development Standards – Road Access was denied.

3. Carried Over to May 11, 2026 meeting 142 - A variance request from North Georgia Interfaith Ministries for a five feet (5 ft) setback reduction variance to allow structures to be 20 ft instead of 25 ft apart within the development as required in Chapter 26 – Sections 26-604 (d) (1) Development Standards. Jeremiah's Place is located at 1445, 1451, 1455 & 1461 Red Oaks Flat Road, Tax Parcels 098-280 and 098-337, and is within the Industrial Character Area.

Robin Hall made a motion to approve the variance request.

Barbara Bosanko seconded the motion.

The vote to approve the variance request from North Georgia Interfaith Ministries for a five feet (5 ft) setback reduction variance to allow structures to be 20 ft instead of 25 ft apart within the development as required in Chapter 26 – Sections 26-604 (d) (1) Development Standard was unanimously.

4. Carried Over to May 11, 2026 meeting 143 - North Georgia Interfaith Ministries, Inc. is requesting Multifamily Dwellings, per Chapter 26 Sec. 26-603. Jeremiah's Place is located at 1445, 1451, 1455 & 1461 Red Oaks Flat Road, Tax Parcels 098-280 and 098-337, and is within the Industrial Character Area.

Robin Hall made a motion to table.

Chris Adams stated we have a motion. Do we have a second, or would we like to go ahead and open for discussion? He opened it up for discussion.

Robin Hall stated he was unsure whether any further work needs to be done prior to looking for approval for the actual plan, given that the first variance was denied.

Vanessa McGrath stated as far as the denial, the options are to appeal that decision to the Board of Commissioners or change the plans so that there is asphalt instead of gravel. If they make an appeal to the Board and it is approved then the plan would not change at all. If the Board denied the appeal, then the plans would change so that there is asphalt instead of gravel. If the plan is changed to asphalt, they have shown on the plans where the detention will go, so they will have to more detention there, less units or move the units

around to meet the storm drainage requirements. If they do not add any units Vanessa saw no reason the plan could not be voted on and all the storm water be handled during the construction plan process. If it is a major change then it would come back to the Planning Commission.

Robin Hall withdrew his motion.

Chris Adam asked if there was a new motion to bring forward?

Robin Hall made a motion to approve.

Mireya Eavey seconded the motion.

The vote to approve the North Georgia Interfaith Ministries, Inc. request Multifamily Dwellings Plan per Chapter 26 Sec. 26-603. was unanimously.

NEW BUSINESS

5. 146 - Timber & Stone Class II Subdivision — final plat approval of a 4-lot subdivision at 100 Yahoola Road (Parcel 075-169) owned by Evan and Brittnei Barron per Chapter 26 - Sec 26-61 & 26-164. The property is within the Agricultural Preservation Character Area

Vanessa McGrath stated Item number five is a Timber and Stone Class II subdivision. It is a four-lot subdivision at 100 and 102 Yahoola Road. It is within the agricultural preservation character area. Two homes are already on the side, and they would just like to add two more homes within the subdivision. So, four lots, four homes. All the lots are over three acres, and the plat does meet the requirements for a Class II subdivision.

Bradley McIntyre Spoke for the owners. He had built their previous projects. They had a family hardship that they needed to take care of and were unable to make it to the meeting. He stated the plat meets all the requirements.

Robin Hall asked have the requirements under Section 26-162 been satisfied in terms of the construction of roads and utilities, et cetera?

Mr. McIntyre stated yes all that has been done. They have already run all the utilities and roads to the existing cabins. The wells already in. Power is already run.

Public Hearing was opened.

Public Hearing was closed.

Chris Adams asked Vanessa McGrath if the plat meets the requirements for a Class II Subdivision.

Ms. McGrath stated that the plat did meet the requirements of a Class II Subdivision.

Trevor Eudy made a motion to approve.

Barbara Bosanko seconded the motion.

The vote to approve the final plat a 4-lot subdivision at 100 Yahoola Road (Parcel 075-169) owned by Evan and Brittnei Barron per Chapter 26 - Sec 26-61 & 26-164 was unanimously.

6. 148 - Variance of 0.63 acre per lot from the average lot area in the subdivision of 1.78 ac to allow the lots to be the proposed 1.15 ac. per Chapter 26 – Sections 26-71(5) Requirements for splitting parcels in a platted subdivision. Located at 420 and 460 Chesterra Drive, Tax Parcel 065 071, owned by Kenneth D Burtz and is within the Residential Growth Character Area.

Vanessa McGrath stated she would address items six and seven together. These items can be voted on separately. The items pertain to 420-460 Chesterra Drive, Parcel 065-071, which is located within the Chesterra subdivision. This location is designated as a Residential Growth character area. The average lot area for the Chesterra subdivision is 1.78 acres. The first request is a variance from this 1.78-acre average. Subdividing the current 2.3-acre lot would create two lots, each 1.15 acres. A variance of 0.63 acres per lot is being requested to meet the subdivision's average. The parcel currently contains two houses and two septic systems. This proposed subdivision would allow one house per lot, with each lot being 1.15 acres. The second request involves the actual subdivision of the property from one parcel into two parcels, or two lots from the original one lot.

Martin Durand stated when owner bought the property and built the houses the ordinance allowed for two houses to be built on a subdivision lot. That has changed now and you can only build one house per subdivision lot in this subdivision.

Ken Burtz stated that when he built the houses, he did not even realize the property was in a subdivision. The lot size was not big enough to split the land so he built the houses, one for his daughter and possibly himself. He is trying to do some estate planning and would like to split the land to give one to each of his daughters. He feels it will be harder to sell with two houses on one lot.

Mireya Eavey asked when the homes were built.

Mr. Burtz stated the houses were built in 2021.

Mireya Eavey asked Mr. Durand when the ordinance changed.

Mr. Durand stated that ordinance changed in 2023.

Chris Adams asked Mr. Burtz did he state that when he built the houses, he knew that the lot could not be subdivided?

Mr. Burtz, he thought the lots could be subdivided to one acre per house and each would have been a little over an acre. When he reached out to Rebecca Mincey, she stated the average lot size is 1.56 acres so the variance would be smaller.

Mr. Durand stated that in most of the county, we have a one acre minimum. In subdivision we have it the lots have to meet the average lot size of the subdivision. So that was confusion.

Ms. Eavey asked if the change in 2023 was the change from one acre to the average lot

size.

Mr. Durand stated that the requirement to meet the average lot size when subdividing a lot in a subdivision has always been in the ordinance. The change in 2023 was that prior to 2023 you could build two houses on a subdivision lot after 2023 you can only build one house per subdivision lot, in certain subdivision categories. This lot never met the requirements to be subdivided.

Public Hearing was opened.

James Shelton spoke as the sitting Chesterra Property Owners Association president. He stated that he has known Mr. Burtz since approximately one month after he purchased the property. He observed Mr. Burtz clearing the property one day and initiated a conversation with him. Mr. Burtz was reportedly unaware that his property was part of the subdivision, as his real estate agent had not informed him. It was later discovered that the community did not have active covenants. However, when Mr. Burtz built his two homes on that lot, he was granted permission on the understanding that one home would be for him and the other for his daughter. Everyone in the subdivision assumed, based on the statement made, that he was building a house for his daughter to live in and a house for himself to live in. However, those houses are not being used for that purpose; they are for long-term rentals. Mr. Burtz rents these houses to college students in the area, and the Chesterra subdivision does not have issues with this. There have been a couple of incidents involving some of his renters. Mr. Burtz's stance is that if there are problems, residents should call the authorities and handle it as needed, as he cannot control them because he does not live there full-time. The speaker noted that Mr. Burtz has been very cooperative. The community's concern is to ensure that there is a one-acre lot in their subdivision. The person who created that lot did not follow proper procedures; they carved out a one-acre lot, claimed it, sold it, and never went through any variance request. As far as the speaker knows, there is no problem with Mr. Burtz splitting the property. The request would be for the home at 420 to remain as lot 62, but to be designated as 62A. The home at 460 would remain 62 but be designated as 62B. This arrangement would assist the secretary with bookkeeping records. Despite not living in the neighborhood, Mr. Burtz has been a good neighbor. Mr. Shelton stated Mr. Burtz has been gracious in complying with all requests, even when the community believed their covenants were active, and after discovering the covenants had expired, while their bylaws remained intact.

Russell Stewart stated that the covenants for the Chesterra subdivision were created in 1985. He noted that they were not signatory to the 1993 Georgia Property Owners Associations Act, which means they would need to draft entirely new covenants. He explained that the covenants had a 20-year expiration date, meaning they expired in 2005, having been established in 1985. Mr. Stewart also expressed his support for the property split. He cited a precedent where a property across the street, previously lot 105, had been divided. This lot was 2.43 acres. He mentioned that a group of future development properties, including Ken Burt's property, were created in 1985 or possibly earlier, designated as reserved for future development by an uncertain party. Lot 105 across the street was also reserved for commercial use, similar to Mr. Burt's property. That lot had been divided from 2.43 acres, essentially split in half.

Chris Adams asked Vanessa McGrath if the subdivision that happened a long time ago impacted the average lot size we are discussing today.

Vanessa McGrath stated yes that was why there was a difference of 1.78 acres, the original average lot size and 1.56 acres, the average lot size with the lots that have been created since the first platting of the subdivision.

Mr. Stewart stated that properties were annexed into the Chesterra subdivision under a specific condition. If one were to view a map of the entire subdivision, none of the other properties are on Chesterra Drive, from Mr. Burtz's property to his 8.16-acre property, are part of the Chesterra subdivision. They were reserved future development properties and were only included in the Chesterra subdivision as long as the road was private. When it became a county road, which appears to have been in 1996 from US 400 to Panorama Drive, and then extended further in 1999, these properties should no longer be included in the Chester subdivision as of the date that Chesterra Drive became a county road.

Scott Hackmyer expressed concern about the precedent being set. He stated that the rules exist for a reason, as they protect the property values of the other eight or so homeowners in the Chesterra subdivision. Mr. Hackmyer indicated that he would not want to be in a situation five months from now where someone with 2.75 acres claims they heard they could reduce it to 1.15 acres and be acceptable. He worried about this and the precedent being established. He did not perceive any harm that would necessitate a variance, noting that the houses are already built and people are living in them. Mr. Hackmyer also mentioned that he was under the impression that Mr. Burtz would live in one house and his daughter in the other. He had even heard that the houses were going to be connected, but they are not; they are single-family homes. He observed that from day one, they became college rentals, leading him to feel "a little bit buffaloed." His primary concern is the precedent of such a significant variance. He highlighted that it is not a small reduction being requested, but approximately a 35% reduction from the supposed lot size, going from 1.78 acres to 1.15 acres. He characterized this as a "big variance" and a "big request," suggesting that if it were a tiny sliver, he might be inclined to help, but this is substantial.

Mr. Shelton stated that if this variance takes place and results in a reduction, there are other property owners in the area who have interest in reducing their lot size and breaking up their lot size would mean failing to obey the subdivision's bylaws. This would set a precedent where properties could be divided, remaining as single-family residential homes with this division. However, the opposition's concern is that if someone subdivides an eight or nine-acre lot, they might try to convert it into a multi-family housing district instead of maintaining it as a single-family residential district. Alternatively, if they split eight or nine acres into 1.15-acre lots, it would lead to a significant increase in the number of houses. Parts of the roads were adopted by the county so that school buses could access the area, allowing children to avoid waiting at what is now fire station four. Other roads in the neighborhood are privately owned by the residents. The homeowner's association is very low-budgeted, with dues of fifty dollars per year per lot, unless one has multiple touching lots, in which case only a single due is paid. If someone subdivides their lots, for instance, nine acres into nine lots due to a small variance, it would increase traffic flow on the county-paid road and increase traffic load on the private roads. The association would not receive additional revenue due to the bylaw stating that if property lines are touching, multiple dues

are not required. This situation would create significant hardship for the community.

Vanessa McGrath stated they will not be able to split into lots smaller than the average and any multifamily would have to go before the Planning Commission for approval. That includes duplexes.

Martin Durand explained that Crestview, where the nine-acre or larger lots are located in the back, is not a county-maintained road. Therefore, a subdivision of more than two lots would not be possible on a non-county-maintained road. This requirement helps prevent the splitting of those larger lots in the back. Every split in the area comes through his office, regardless of the circumstances. If it were in this subdivision, it would still need to come before this board again.

Pam Dietz stated that they are not necessarily in opposition but sought clarification. She was unsure if the information was from Vanessa and Martin or from the board. The current average lot size in the subdivision is 1.78 acres. If the board votes to allow a reduction to 1.15 acres for a lot, that will affect the average. The speaker acknowledged that this would reduce the average by some small amount. The concern was that when the next person requests another variance to reduce their lot size, this process would continue.

Vanessa McGrath explained that the reason for having both a platted average and a current average is due to the difference between 1.78 acres and 1.56 acres. The 1.78 acres represents the average when the subdivision was platted, while the 1.56 acres reflects the current average due to properties that have already been subdivided. We used the platted average from the beginning because that is what is stated in the ordinances.

Ms. Dietz stated so her understanding is if this is approved it will not affect the average lot area in the subdivision of 1.78 acres. It will always be 1.78 acres.

Ms. McGrath stated that is correct.

Steve Sylvester stated this was just a statement, not for or against. The last two times this has gone in front of the Planning Commission he has asked the Planning director to use a different statistical measure because the average is not the right statistical measure to use in the circumstance, that the median should be used. He asked the Planning Commission to consider changing the ordinance to be the median area in subdivisions.

Ms. McGrath stated that she can add that to the items to look at when the ordinances are reviewed.

Public Hearing was closed.

Trevor Eudy believes the word "precedent" is used frequently but does not truly pertain to this situation because it would be impossible for someone to build two houses on the same lot currently. Therefore, that this exact same situation is unlikely to occur again, and thus, this instance is not setting a precedent. Setting a precedent would imply that another individual would approach them with two houses on an existing lot seeking to split it, which the speaker does not anticipate seeing again given the current rules. The houses are

existing and it would hard to find another situation of a lot in a subdivision with two houses on it.

Mr. Burtz stated he was mistaken about the size of the lot when he built the two houses. His middle daughter lived there until her job changed and she had to move. That is still her house. The other is house is his. The homeowner's association would benefit because they would get \$50 from each lot versus just the one \$50, he pays currently. The traffic will not increase because there are currently two houses and no more will be built.

Robin Hall expressed concern that they have still not heard any case of hardship that this is imposing other than the difficulty the individual's daughters might have in the hopefully untimely event of the applicant's passing. This is not a hardship today but a very theoretical problem. Additionally, rather than splitting the lot, it should be possible to put the lot into a family trust controlled by his daughters, and they could subsequently resolve the issue of any split. Therefore, it does not meet the requirements of a hardship, noting that it is a financial issue as much as anything else, and finance is a significant factor when it comes to variances.

Barbara Bosanko made a motion to deny based on there is no hardship for the variance request.

Robin Hall seconded the motion.

The vote was unanimous to deny the variance of 0.63 acre per lot from the average lot area in the subdivision of 1.78 ac to allow the lots to be the proposed 1.15 ac. per Chapter 26 – Sections 26-71(5) Requirements for splitting parcels in a platted subdivision due to not having a hardship.

7. 149 - Subdivision of Lot 62 of the Chesterra Subdivision (Plat Book 13, Page 92, 1 lot into 2 lots (1 parcel into 2 parcels), per Chapter 26 Sec. 26-71 & 26-164. The subdivision will be located at 420 and 460 Chesterra Drive, Tax Parcel 065 071, owned by Kenneth D Burtz and is within the Residential Growth Character Area.

Vanessa McGrath requested that item 7 be table to give the applicant the time to decide if they want to appeal the denial of the variance to the Board of Commissioners without have to reapply for the subdivision.

Barbara Bosanko made a motion to table the request.

Trevor Eudy seconded the motion.

The vote was unanimous to table the subdivision of Lot 62 of the Chesterra Subdivision (Plat Book 13, Page 92, 1 lot into 2 lots (1 parcel into 2 parcels), per Chapter 26 Sec. 26-71 & 26-164.

8. 152 - Class II Subdivision final plat approval of Alyeska Ridge, a 9-lot subdivision, per Chapter 26 Sec. 26-61 & 26-164. The subdivision will be located at 4541 Cavender Creek Road, Tax Parcel 107 118, owned by Jace Roper and is within the Residential Growth Character Area.

Vanessa McGrath stated a request has been made to subdivide 4541 Cavender Creek Road, parcel 107-118, into a Class II subdivision comprising nine lots. The property is situated within the Residential Growth character area. The proposed lots vary in size from 1.121 acres to 2.80 acres. Environmental health approval has been obtained, and the plat fulfills the requirements for a Class II subdivision.

Jace Roper stated that they are not requesting any variances. He believes everything aligns with county ordinances and is simply asking for approval of the plat.

Robin Hall noting that the provided plan appears to be a preliminary draft for review only and not for title purposes. He highlighted that the requirements for acceptance of a final approval necessitate the completion of several items, essentially requiring physical work on the ground. He suggested that this should be treated as a preliminary plan under section 26-138.

Vanessa McGrath stated the plat meets all the requirements of a Class II subdivision. She suggests approving it with the removal of the item referring to it as a preliminary drawing draft copy. She noted that they have the easement for the road, approval from environmental health, and approval from the road department for the entrance. They would simply be removing the preliminary drawing draft copy from the plat. There is no road to approve for the county to take over and no utilities to inspect.

Mr. Hall stated that 26-162 says all construction of roads, stormwater management facilitates must be completed and inspected. Documentation of the construction process and materials must be inspected. Approved by the planning department, have these all been done?

Ms. McGrath stated again this road will not be taken over by the county and there is no stormwater facilities proposed, so there is nothing to inspect. They have never done a preliminary and a final for a class II subdivision.

Mr. Hall said looking at the approval from the environmental and health department says pending final layout, some lots may require pump systems.

Martin Durand stated that will be looked at on a lot-by-lot bases prior to the house getting a building permit.

Mr. Hall stated if these systems will be approved individually for septic what assurances are that nine lots will be possible. He asked if the lot lines have been marked?

Mr. Roper stated they are reportedly working on that, pending this meeting. It is believed that tomorrow, they were going to go out and begin marking the lot lines. The perimeter was laid out so that Environmental could see where the subdivision was. Michelle, and reportedly Emeline, who actually went out there, stated that she would want them to complete the lot lines before pulling building permits, but that it did not affect anything from her side regarding plat approval.

Chris Adams asked Mr. Hall that it was his position that all the requirements have not been met for a final plat but Ms. McGrath stated some of the requirements cannot be met.

Ms. McGrath stated her position is that minus the verbiage on the plat, the plat meets all the requirements for a Class II subdivision.

Mr. Adams asked to review what the verbiage was.

Ms. McGrath stated it reads "This is a preliminary drawing, an uncertified draft copy for review

only. This is not for title purposes.”

Mr. Hall suggested that we should be looking at it as a tentative approval of a preliminary plat under Section 26-138. To go straight to a final plat bypasses the steps

Martin Durand explained that Class II has historically been a first time final. The Planning Commission is reviewing the nine lots. If the applicant cannot get the nine lots the plat will change to eight but it would only come back if he was added more lots not reducing the number.

Public Hearing was opened.

Rex Brown stated his property joins this property and he did not want the subdivision there. His family has lived out there for 200 years and people just keep moving in. They don't want any more house there. He wants no more growth.

Vicki Schneider is on the left side of the development and she is concerned that she will not be able to hunt on her property with all the new houses. And she has a big concern on what will be done with the house that is currently on the property. It is consumed with mold; it has been vacant for many years. If the house is torn down there will be mold in the air. She asked how much of the wood line can they take down along the property line? Who will protect them from drainage if they grade the wrong way and the water gets diverted onto their property. There is a creek and will it be protected?

Jodi Westbrook is the right of the property. She raised a concern about whether all these new wells would affect the other homes. She observed that there is already a lot of traffic on the road. While nine houses may not seem like many, she believes it takes away from the land that parents and grandparents leave to their children. She expressed concern about the rapid growth, stating that while it is good for the county, it is not always about money. She emphasized that nine more houses would be moving in.

Dave Schneider wanted clarification on the existing structure on lot number 1 (1.33 acre) the applicant said he is not going to take down the structure but a lot number is shown.

Vanessa McGrath stated there are requirements for the demo of buildings and mold remediation. The health department will be involved.

The Public Hearing was closed.

Chris Adams invited Mr. Roper back up to address the concerns. The concerns brought up were the impact to hunting on their own property; what will be done with the existing house on the proposed lot 1; the impact of the drainage on the creek and a better understanding of the utilities and water impact

Mr. Roper stated regarding drainage and water, a hydrology study is currently underway by Davis Engineering to ensure that all water from the road is properly channeled, preventing washout or negative effects to the creek. He noted that the middle of the property on their side of the creek naturally funnels water into a bowl, so the flow for the front half would likely remain similar, all directed towards the creek. This study is a county requirement and will be conducted professionally according to county guidelines. He stated for the utilities,

Ms. Westbrook mentioning a new power pole placed near a small well house. Power will originate from this pole and run down the road, thus not affecting Ms. Westbrook's property. Concerning water, they plan to implement a community water system managed by a local company for regular testing. There will be one well for each side of the creek, rather than individual wells on every lot, despite environmental health requiring marked well locations and sufficient area for both septic and well systems.

The existing structure on lot number one will be sold to a young couple from the Mr. Roper's church. The buyer intends to completely gut the house and is consulting with mold remediation companies. Mr. Roper has also been in contact with the planning department inspectors to ensure all work is above board. The property will be sold at a price reflecting its disrepair, aiming to provide an affordable home for the couple and their two children. Mr. Roper if this was not the case, he otherwise would bulldoze the house.

Regarding hunting and trees, Mr. Roper expressed a dislike for removing trees, stating that they have previously adjusted house and road locations to preserve attractive oak trees (though not pine trees). His intent is to avoid clearing near property lines unless absolutely necessary. There are several suitable building sites along the left side of the property, abutting the neighbor's land, that would not require significant tree removal. They aim for minimal clearing to ensure safe distances between trees and houses and to accommodate septic drain fields. Mr. Roper offered 90 Kings Crossing Drive in Dawsonville as an example of a Class II subdivision he developed, demonstrating his preference for retaining trees.

Mr. Roper stated that they do not have specific plans for each of the houses. His intention is to sell a few of the lots to young couples within his church and build houses for them, as building is a more affordable option than purchasing existing homes. While specific plans for those houses are not yet available, he generally builds 1500 to 1700 square foot, single-story slab houses with a two-car garage and Hardie board siding. Mr. Roper imagines the new homes will be of a similar caliber.

Robin Hall asked about a road maintenance agreement and if the community well will be in the deed?

Mr. Roper stated the draft of the road maintenance agreement was given to the Planning department, a final will be done when the plat is approved. The community wells and the access in the lots will be in the deed and will be served by Georgetown Water, which is owned by Tony Nunley. Each lot will be individually owned.

Chris Adams asked Robin Hall if he felt his questions around the preliminary and final plat have been resolved?

Robin Hall stated he was going to look into it in more detail.

Trevor Eudy made a motion to approve.

Barbara Bosanko seconded the motion.

The vote was unanimous to approve the Class II Subdivision final plat of Alyeska Ridge, a 9-lot subdivision, per Chapter 26 Sec. 26-61 & 26-164. The subdivision will be located at 4541 Cavender Creek Road, Tax Parcel 107 118, owned by Jace Roper and is within the Residential Growth Character Area.

ADJOURNMENT

Barbara Bosanko made a motion to adjourn.
Robin Hall seconded the motion.
Motion passed unanimously.

Meeting adjourned at 7:00 p.m.

Members Present:

David Woodward (Chairman)

Danny Clark

Chris Adams (Vice Chairman)

Robin Hall

Trevor Eudy

Barbara Bosanko

Mireya Eavey