

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, December 6, 2005, at 7:00 p.m., in the Commission Meeting Chambers, Oconee County Courthouse.

Members Present:

Chairman Melvin Davis  
Commissioner Jim Luke  
Commissioner Don Norris  
Commissioner Margaret S. Hale  
Commissioner Chuck Horton

Staff Present:

Administrative Officer Alan Theriault  
County Attorney Daniel Haygood  
County Clerk Gina M. Lindsey

Jeff Benko, Finance Director  
Matt Forshee, Planning & Economic Develop  
BR White, Assistant Planner  
Brad Callender, Planner  
Chris Thomas, Assistant Utility Director  
William White, Project Coordinator  
Wayne Provost, Strategic Planning Director

Media Present:

Vinnie Williams, The Oconee Enterprise  
Merritt Melancon, Athens Banner-Herald

Chairman Davis began the meeting with a Moment of Silence. Commissioner Horton led the Pledge of Allegiance.

**Minutes:** On motion by Commissioner Horton and second by Commissioner Hale, Minutes of the November 1 and November 29, 2005 meetings were approved as distributed.

**Street Light Tax District – Rolling Glen:** On motion by Commissioner Luke and second by Commissioner Norris, the Board unanimously approved the creation of Street Light Tax District No. A-07C-L1 for Rolling Glen Subdivision. **See Documentation in Ordinances and Resolutions Book No. 16.**

**Rezone Request #4754 – Mike Power:** The Board held a public hearing on Rezone Request No. 4754 by Mike Power, ± 4.606 acres, located on Dials Mill Extension, from A-1 to OBP.

On motion by Commissioner Norris and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4754, with conditions, for an office/warehouse building. **See Documentation in Ordinances and Resolutions Book No. 16.**

**Rezone Request #4755 – R & M Development:** The Board held a public hearing on Rezone Request No. 4755 by R & M Development, LLC, ± 78.9 acres, located on Hodges Mill Road, from A-1 to AR-1.

The Presentation and Public Hearing for Rezone Request No. 4755 and Variance Request No. 4756 were held at the same time.

Jon Williams, representing the applicant, stated the development would feature up-scale single-family homes on lots greater than 1 acre. He noted the area where the cul-de-sac is located is along a ridge where the topography is flatter, but also along the property line. This location is also designed to support a connection to the adjacent property for a future residential development.

On motion by Commissioner Luke and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4755 by R & M Development, LLC, with conditions, for a single-family residential subdivision. **See Documentation in Ordinances and Resolutions Book No. 16.**

**Variance Request #4756 – R & M Development:** The Board held a public hearing on Variance Request No. 4756 by R & M Development, LLC, ± 78.9 acres, located on Hodges Mill Road, to eliminate the required distance from the property line to a cul-de-sac.

The Presentation and Public Hearing for Rezone Request No. 4755 and Variance Request No. 4756 were held at the same time.

On motion by Commissioner Norris and second by Commissioner Hale, the Board unanimously approved Variance Request No. 4756, with conditions. **See Documentation in Ordinances and Resolutions Book No. 16.**

**Rezone Request #4757 - A.L.P. Development:** The Board held a public hearing on Rezone Request No. 4757 by A.L.P. Development, Inc., ± 421.84 acres, located on U.S. Hwy. 441, from A-1 to AR-5.

Abe Abouhamdan, representing the applicant, stated the property would be developed as a low density single-family residential subdivision with 79 residential lots of a minimum of 5.0 acres each.

Russ Page, Nancy Stangle, George West, Paul Paninski and Mark Farmer requested a condition to the rezone that would require an easement to develop a river walk along the Apalachee River. Elise Lang requested an additional 100' undisturbed natural buffer on all lots adjoining her property. Lee Ann Mitchell, Jim Buonaccorsi and Violet Dawe expressed concerns for the ecological and environmental impact as well as traffic and public safety.

On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4757, with conditions, for a single-family residential subdivision (The Bend on the Apalachee). ***See Documentation in Ordinances and Resolutions Book No. 16.***

**Rezone Request #4758 – Thomas William Darby:** The Board held a public hearing on Rezone Request No. 4758 by Thomas William Darby, ± 15.78 acres, located on Daniels Bridge Road, from A-1 and AR-1 to R-1.

On motion by Commissioner Horton and second by Commissioner Luke, the Board unanimously approved Rezone Request No. 4758, with conditions, for a single-family residential subdivision (Overlook Meadows). ***See Documentation in Ordinances and Resolutions Book No. 16.***

**Conditional Use Permit #4759 – Higginbotham Builders:** The Board held a public hearing on Conditional Use Permit No. 4759 by Higginbotham Builders, Inc., ± 1.212 acres, located on Clotfelter Road, for an amenity area.

On motion by Commissioner Norris and second by Commissioner Luke, the Board unanimously approved Conditional Use Permit No. 4759, for an amenity area within Somerset Subdivision. ***See Documentation in Ordinances and Resolutions Book No. 16.***

**Rezone Request #4649 – E. Dwayne Wilkes, E.M. & Betty Wilkes, Rose Creek Development and Malcom R. Noland:** The Board held a public hearing on Rezone Request No. 4649 by E. Dwayne Wilkes, E.M. & Betty Wilkes, Rose Creek Development and Malcom R. Noland, ± 110.14 acres, located on Greene Ferry Road, from A-1 to AR-1 Conservation Subdivision.

Abe Abouhamdan, representing the applicant, stated the property would be developed as a single-family residential conservation subdivision with 67 residential lots. He noted the revised plan includes a minimum 50' undisturbed buffer along the exterior lot lines of residential lots that abut the perimeter of the property.

John Glisson, representing the University of Georgia, requested a condition to the rezone requiring the 50' undisturbed buffer adjacent to UGA property. Ray Nobley stated the density of the development was not consistent with recent development in the area.

Commissioner Hale made the motion to approve Rezone Request No. 4649, with conditions. Commissioner Norris seconded the motion. Commissioners Norris, Hale and Luke voted yes. Commissioner Horton voted no. Rezone Request No. 47649 was approved, with conditions, for a single-family residential conservation subdivision (Wilkes Meadows). ***See Documentation in Ordinances and Resolutions Book No. 16.***

**Rezone Request #4762 – Harold Mauldin, et al:** The Board held a public hearing on Rezone Request No. 4762 by Harold Mauldin, et al, ± 5.485 acres, located on Pete Dickens Road, from R-2 to R-1.

Planner Brad Callender noted the rezone request was initiated by consent from the Board of Commissioners after the owners petitioned the Board to rezone their properties due to the fact that their properties contain single-family residences.

On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4762, with conditions, for tax parcels B-1E-006, B-1E-007, B-1E-008, B-1E-009, B-1E-010, B-1E-011 and B-1E-012, to match the uses which are currently located on these properties. ***See Documentation in Ordinances and Resolutions Book No. 16.***

**Rezone Request #4126 – Richard H. Garrett, Jr.**: The Board held a public hearing on Rezone Request No. 4126 by Richard H. Garrett, Jr., ± 415.76 acres, located on U.S. Hwy. 441, from A-1 to AR-5.

The applicant's representative, John Stell, noted the original application sought a rezone from A-1 to AR-1 Conservation Use Subdivision. The applicant and property owner now desire to amend the original zoning application so as to seek a rezoning to an AR-5 Conservation Subdivision.

Russ Page and Rosemary Franklin (representing the Oconee County Clean and Beautiful Commission) requested a condition to the rezone that would require an easement to develop a river walk along the Apalachee River. Lee Ann Mitchell and Violet Dawe expressed concerns for the environmental impact on the area. Michael Payne said the installation of the proposed cul-de-sac would affect the entrance to his elderly relatives' residence and stated he did not want the road closed or the cul-de-sac constructed.

On motion by Commissioner Norris and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4126, with conditions, for a single-family residential conservation use subdivision (The Trestle at Apalachee). ***See Documentation in Ordinances and Resolutions Book No. 16.***

**Consent Agenda:** On motion by Commissioner Luke and second by Commissioner Norris, the Board unanimously approved the following Consent Agenda items:

- **Ordinance Violation Citations Resolution:** Approved a resolution authorizing certain county personnel to issue citations for county ordinance violations. ***See Documentation in Ordinances and Resolutions Book No. 16.***
- **Jennings Mill Parkway Extension Project – ROW Contract:** Approved the County-GA DOT Contract for acquisition of right-of-way for the Jennings Mill Parkway Extension project.
- **Workers Compensation Resolution:** Approved a resolution authorizing county volunteers and elected officials to be covered by workers' compensation. ***See Documentation in Ordinances and Resolutions Book No. 16.***
- **Deferred Compensation Plan Amendment:** Approved an amendment to the ACCG 457 Deferred Compensation Plan to reflect recent changes in IRS requirements.
- **ROW Abandonment – Treadwell Bridge Road:** Declared that the right-of-way on Treadwell Bridge Road, within Apalachee Run Subdivision, serves no substantial public purpose.

**Statements and Remarks from Citizens:** Jim Ivey read a prepared statement to the Board of Commissioners and Oconee County Citizens regarding the Oconee Veterans Memorial Foundation. Violet Dawe stated she was concerned with erosion control enforcement in the county.

There being no further business, on motion by Commissioner Horton and second by Commissioner Norris, the meeting was adjourned.

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County Clerk

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Chairman

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Date