

Lincoln County Planning Commission Meeting

April 9, 2007 - 5:30 p.m.

The Lincoln County Planning Commission met in regular session on Monday, April 9, 2007 at 5:30 pm in the Conference Room of the new Planning and Zoning Department building. Those present were Herbert Moxley, Chairman, District Four; Coleman Kennedy, Vice-Chairman, District Three; Commissioner Barney Aycock, III, District Two; Commissioner Bill Parker, District One; Commissioner Jim Mattison, At Large by the Chairman; Mr. Britt Hammond, County Attorney; and Meg Burg, Planning and Zoning Director.

1.

Call Meeting to Order

Chairman Moxley called the meeting to order.

2.

Invocation

Chaplain Barney Aycock , III opened the meeting with prayer.

3.

Pledge of Allegiance to the Flag

Chairman Moxley led in the Pledge of Allegiance to the Flag.

4.

Declaration of a Quorum

Quorum was confirmed by Chairman Moxley.

5.

Approval of Minutes

On motion by Vice-Chairman Kennedy and seconded by Commissioner Aycock, the board voted unanimously to approve the minutes from the previous meeting.

6.

Preliminary Plat Determination

Applicant: Don Barbik and Jack Best

Serenity Pointe Subdivision

Nathania Farm Road

Chairman Moxley opened the meeting with the Preliminary Plat Determination for a major subdivision of approximately 259 acres named Serenity Pointe owned by Serenity Pointe, LLC located off of Nathania Farm Road. Mr. Don Barbik and Mr. Jack Best were present for any questions and presented a brochure for the committee

members to look over. At this time, Director Burg advised the committee that the lot size requirements, dimensions and road requirements were in compliance with the county ordinances. Chairman Moxley asked for a motion of approval. Commissioner Mattison motioned for approval with the conditions and Vice-Chairman Kennedy seconded the motion. Chairman Moxley motioned the committee of the following terms set forth:

Pursuant to Lincoln County Ordinance 34-134©, this preliminary approval constitutes only of the proposed widths and alignments of street and the dimensions and shapes of lots, subject to the final approval of the county health department. Applicant has proven by clear and convincing evidence that all the requirements specified in Lincoln County Ordinance 34-135(a) have been satisfied.

The board voted unanimously to approve the Preliminary Plat Determination for Serenity Pointe Subdivision.

7.

Rezoning Extension Request

For a Proposed Pud Project

**Applicant: Wade Family Partnership (Lamar and Sandra Wade)
HWY 378 (McCormick HWY)**

Chariman Moxley moved to the next request of a rezoning extension request for a P.U.D. Project a proposed Planned Unit Development of 49 acres owned by the Wade Family Partnership located off of HWY 378. Mr. Lamar Wade was present for questions from the committee. Mr. Wade advised the committee that he has been working out details with the City on providing sewage to the proposed site. Due to working with the City on sewage, Mr. Wade would like to file an extension of 1 year for the project. Commissioner Parker asked County Attorney, Britt Hammond what progress has been made in a year. County Attorney Hammond advised the committee that he has attended several of the city meetings and Mr. Wade has been diligently working on obtaining sewage with the city. County Attorney Hammond went on to say that we need to keep control of the rezoning that if no changes have been made within the next year, at that time, the committee needs to review for another extension or have the property to revert back to it's original zoning. Vice-Chairman Kennedy motioned to approve and seconded by Commissioner Aycock with the stipulations. The board voted unanimously to approve the Rezoning Extension Request for the proposed PUD Project with the proposed conditions set forth:

The Lincoln County Planning Commission hereby approves this P.U.D. Concept Plan as a part of its decision to permit rezoning from A-3 to P.U.D. District, Lincoln County Code Section 34-491(13). The concept plan may be recorded with the Clerk of

Superior Court's office, however, this approval and subsequent recordation does not constitute preliminary plat approval nor does it vest the landowner with any rights associated preliminary plat approval, pursuant to Lincoln County Code Section 34-131, et seq. It is expressly agreed and understood that the Concept Plan has been approved based upon the representation that the landowner shall pursue the entire concept plan as a development plan. The landowner shall not be permitted to pursue the plan in phases or sections, and expressly agrees that any such attempt shall render the approval of Concept Plan null and void. The Lincoln County Planning Commission, by approval of the Concept Plan, does not waive or release the landowner from any of the requirements of the Lincoln County Land Development Ordinance.

8.

Notice of Zoning Change Hearing from A-3 to PUD

Applicant: Tommy Lee and Dean Antonakos

The Retreat at Lake Thurmond, LLC

(Located off of Soap Creek Lodge Road)

Chairman Moxley proceeded with the rezoning request from The Retreat At Lake Thurmond, LLC from A-3 to PUD for a Planned Unit Development of approximately 77 acres located off of Soap Creek Lodge Road. Clay Antonakos was present for any questions from the committee. Director Burg advised the committee that this property is across HWY 378 from the proposed P.U.D. owned by the Wade Family Partnership and the same conditions will apply. The developers will be working with the city for the sewage. Chairman Moxley asked if any objections had been called into the office. Director Burg advised that no complaints had been issued. On a motion from Commissioner Parker and seconded by Vice-Chairman Kennedy the board unanimously approved with the following conditions set forth:

The Lincoln County Planning Commission hereby approves this P.U.D. Concept Plan as a part of its decision to permit rezoning from A-3 to P.U.D. District, Lincoln County Code Section 34-491(13). The concept plan may be recorded with the Clerk of Superior Court's office, however, this approval and subsequent recordation does not constitute preliminary plat approval nor does it vest the landowner with any rights associated preliminary plat approval, pursuant to Lincoln County Code Section 34-131, et seq. It is expressly agreed and understood that the Concept Plan has been approved based upon the representation that the landowner shall pursue the entire concept plan as a development plan. The landowner shall not be permitted to pursue the plan in phases or sections, and expressly agrees that any such attempt shall render the approval of Concept Plan null and void. The Lincoln County Planning Commission, by approval of the Concept Plan, does not waive or release the landowner from any of the requirements of the Lincoln County Land Development Ordinance.

9.

Variance Request for Plat Approval Variance

**Applicant: George Phillip Rhodes and Michael Rhodes
GA HWY 79**

Chairman Moxley proceeded with the variance request for plat approval of 41.27 acres known as Map 01/ Parcel 002A owned by George Phillip and Michael Rhodes located on HWY 79. Mr. Phillip Rhodes was present for questions from the committee. Mr. Rhodes stated that his brother wanted to divide the property equally and have it recorded. At the time the property was bought, they did not discuss dividing it. They thought it would continue to stay as family property. However, his brother married and they wanted to own the property separately. On motion by Commissioner Mattison and seconded by Commissioner Parker with the condition that any further subdivision will have to meet major subdivision requirements. The board voted unanimously to approve the variance request for plat approval with the above mentioned conditions.

10.

Planning and Zoning Departmental Update and Discussion

The committee discussed possible changes in the Land Development Ordinance for accessory structures. After much discussion, on motion by Commissioner Parker and seconded by Commissioner Aycock the accessory structures should only apply to R-2 and R-3 zoning. This is only a recommendation to the Board of Commissioners.

Reviewed Boat Club requests.

11.

Adjourn

On motion by Commissioner Mattison and seconded by Commissioner Parker the Board voted to unanimously adjourn.

Herbert Moxley, Chairman

Denise Cunningham, Administrative Asst.