

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, May 1, 2007, at 7:00 p.m., in the Commissioners Meeting Chambers, Oconee County Courthouse.

Members Present:

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

Staff Present:

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

Jeff Benko, Finance Director
Chris Thomas, Asst. Utility Director
John Hatcher, Wastewater Management
Mike Leonas, Public Works Director
Sandy Thursby, Design Services Engineer
William White, Projects Coordinator
BR White, Planning Director
Brad Callender, Planner
Krista Gridley, Planner

Media Present:
Enterprise

Vinnie Williams, The Oconee
Christopher Butler, 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 Norris and second by Commissioner Hale, Minutes of the April 3, April 9, April 10, April 11 and April 17, 2007 meetings were approved as distributed.

Rezoning Request #5397 - Delores N. Lance & Dorothy N. Anglin: The Board held a public hearing on Rezoning Request No. 5397, by Delores N. Lance and Dorothy N. Anglin, ±9.102 Acres, located on Daniells Bridge Road and SR Loop 10, from AR-1 to OBP. Commissioner Norris recused himself from the discussion and vote due to a conflict.

Kenneth Beall, representing the applicant, presented a Constitutional Challenge.

Mr. Beall said Perimeter Center is a proposed office business center to be developed and constructed by Stephen D. Jenkins and Ed Nichols. The project is to be developed as an 112,070 sq.ft. office business center under the Office Business Park zoning classification. Mr. Beall explained why an OBP zoning was requested and noted the objectionable permitted uses had been eliminated from the request. He stated the rezoning was consistent with the emerging development trends along Daniells Bridge Road and presented handouts showing site distances, the curvatures of the road and the potential Loop 10 Overpass.

Developer Ed Nichols said the future land use plan illustrates the property as office-professional. He noted the building was planned with two fronts - one facing Loop 10 and one facing Daniells Bridge Road. He agreed to place additional landscaping to soften the presence of the building. Mr. Nichols stated the project would improve the value of surrounding residential properties and reminded the Board he is proactively participating in the planning and design of an upgrade of Daniells Bridge Road.

Reuben Moss and Thomas Kittle spoke in favor of the rezoning request. Both said they did not expect the development to hinder traffic flow on Daniells Bridge Road.

Lee Becker spoke in opposition to the request by stating the project is inconsistent with the 2022 future land use plan, infrastructure is not in place and area citizens would be harmed by decreased land values and safety. Mr. Becker presented several aerial photos and plats of the area.

Bob Martin said the residential character of this section of Daniells Bridge Road should be preserved and suggested the best use for the property would be a public park. Jake Hayes presented a petition of 413 signatures in opposition of the request for a rezoning. Eleanor

Cotton, Mark Ketchie, Horace Newcomb and Karen Kimbaris expressed their concerns for traffic safety and threats to the area's quality of life.

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Mark Karzen also stated his concern for traffic safety and spoke on the legalities of a Constitutional Challenge. Mr. Karzen said he also would like to submit a Constitutional Challenge.

Kenneth Beall remarked on the growth of Oconee County and stated the proposed business center would constitute quality growth. He said the property is located within the growth corridor along GA 316 and Epps Bridge Parkway.

Public Works Director Mike Leonas spoke on the status of Daniells Bridge Road, noting the present level of service is adequate, but upgrades may be required in the future. He said the proposed office building could potentially generate an additional 1,458 average daily trips. Mr. Leonas also spoke on a proposed plan to construct an Overpass to connect Daniells Bridge Road with Jennings Mill Parkway, across Loop 10. He stressed the plan is in the preliminary stage and explained the process for funding a project through MACORTS.

County Attorney Daniel Haygood remarked on the Constitutional Challenge process. He noted Mark Karzen's comments were sufficient to raise a constitutional objection as it was not required to be put in writing.

On motion by Commissioner Horton and second by Commissioner Hale, the Board voted unanimously to deny Rezone Request No. 5397, by Delores N. Lance and Dorothy N. Anglin, from AR-1 to OBP. **See Documentation in Ordinances and Resolutions Book No. 17.**

Special Use Request #5398 - Friendship Presbyterian Church, Inc.: The Board held a public hearing on Special Use Request No. 5398, by Friendship Presbyterian Church, Inc., ±13.17 acres, located on U.S. Hwy. 441, to expand the existing neighborhood scale church to a community scale church.

Scott Haines, representing the applicant, said Friendship Presbyterian Church proposes to expand their current campus over the next 10 to 15 years to accommodate for growth within the church. The expansion will include a church office building, a kitchen/fellowship hall, a new sanctuary, a new daycare facility and the addition of a ball field.

No one spoke in opposition to the Special Use Request.

On motion by Commissioner Norris and second by Commissioner Horton the Board unanimously approved Special Use Request No. 5398, by Friendship Presbyterian Church, Inc., with conditions, to expand the existing church. **See Documentation in Ordinances and Resolutions Book No. 17.**

Rezone Request #5399 - Michael A. Thornton: The Board held a public hearing on Rezone Request # 5399, by Michael A. Thornton, ±3.89 acres, located on Hearthstone Way and Will Usher Road, from A-1 and R-1 to R-1.

Justin Greer, representing the applicant, stated the project is to be exclusively developed as an upscale single-family residential subdivision of approximately 14 lots on 12.13 acres.

No one spoke in opposition to the Rezone Request.

On motion by Commissioner Horton and second by Commissioner Hale, the Board unanimously approved Rezone Request No. 5399, by Michael A. Thornton, from A-1 and R-1 to R-1, with conditions, for a single family residential subdivision (Founders Grove, Phase IV, Settler's Ridge). **See Documentation in Ordinances and Resolutions Book No. 17.**

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

- **Fern Hill Subdivision - R-O-W Deeds:** Accepted the road right-of-way deeds for Fern Hill Subdivision.

- **Crime Victim Office Lease Agreement:** Approved a 12-month lease agreement with Hardigree Properties, LLP for Unit 18 of Oak Hill Office Park Condominiums to be used as the Crime Victim Office for the Oconee County Sheriff's Department. The lease begins July 1, 2007.

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

County Clerk

Chairman

Date