



## Oconee County Board of Zoning Appeals

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### Minutes

6:00 P.M., Thursday, August 16, 2012

Oconee County Council Chambers

#### Members Present:

Mr. Hughes  
Mr. McKee  
Mr. Nichols  
Mr. Littlefield  
Mr. Reckert  
Mr. Lee (Chair)  
Mr. Medford

Mr. Yancey Green (Planner)

Media present:       Ray Chandler (Independent)  
                              Dick Mangrum (WGOG)

#### Item 1.        Call to Order

Chairman Lee called the meeting to order.

#### Item 2.        Approval of Minutes (May 17, 2012 Meeting)

Mr. Medford made a motion to approve the minutes. Mr. Reckert seconded the motion. The minutes were approved.

#### Item 3.        Appeal Hearing for staffs' decision regarding Cane Creek Landing Road development

Mr. Littlefield made a motion to move the Hearing until August 23, 2012. Mr. Hughes seconded the motion.

#### Item 4.        Appeal Hearing for staffs' decision regarding Biggerstaff Road rezoning petitions- a full audio transcript can be obtained through staff

Mr. Green stated the matter before the Board, "The public hearing tonight stems from an Appeal by Mr. Larry Brandt concerning staffs' decision to verify petitions for the

Biggerstaff road and area rezoning request and Mr. Brandt's opinion that he should not have to go before the Board of Zoning Appeals. The Appeal was made on July 13, 2012. The required legal ad was published in the Seneca Daily Journal on July 31, 2012 and notification of the hearing was sent to adjacent property owners by mail. Signs were posted at the site more than 15 days in advance."

Mr. Larry Brandt presented to the Board;

Mr. Brandt believes he does not need to be before the Board of Zoning Appeals since their decision would have no binding effect on the rezoning request; and,

Mr. Brandt believes the Biggerstaff Road and Surrounding Area rezoning request did not meet the minimum signatures of 51% of property owners in the area necessary to have first reading before County Council.

Mr. Mike Glen presented to the Board;

Mr. Glen stated that he is in agreement with Mr. Brandt that Mr. Brandt should not have had to appeal to the Board of Zoning Appeals.

### **Public Comment**

Doyle Carr stated that he does not live in a subdivision and agrees with Mr. Brandt.

Mike Smith, petition gatherer, stated that the name of the rezoning ordinance was created by planning staff, there was no petition format when he was gathering petitions, it took a lot of time to gather the necessary petitions to have the required 51% of property owners in the Biggerstaff area, and he sent a letter to the Lutheran Church concerning their property before the rezoning process started.

John Simms stated that he was a property owner in the area and he wanted his property removed from the rezoning process.

The Board discussed the matter and questioned staff and Mr. Brandt. Chairman Lee asked Mr. McKee to write a finding of fact and conclusion with the help of staff that would be ready for the meeting on the following Thursday. The Board continued the hearing until Thursday August 23, 2012.

### **Item 5. Old Business**

None

### **Item 6. New Business**

Mr. Green gave the packets to the Board for the upcoming August 23, 2012 meeting.

### **Item 7. Adjourn**

Adjourn.