



You Are Why We Are Here

APPROVED
1-8-2024

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING - MINUTES
May 1, 2023
6:00 P.M.**

Present: Chairman Jeff Jacques
District 1 Commissioner Robert Franklin
District 2 Commissioner Kyle Foster
District 3 Commissioner Elizabeth Busby
District 4 Commissioner Josh Smith

Item 1. Call to Order Chairman Jacques called the Public Hearing to order.

Item 2. Approval of Agenda Chairman Jacques asked for a Motion to approve the agenda. A Motion to Approve the Agenda was made by Commissioner Franklin and seconded by Commissioner Foster. There was no discussion. A vote was taken and all voted for approval of the agenda, 5-0 agenda approved.

Item 3. Public Comment

- A. Robert Ragsdale 554 Ruckersville Road Canon – worst possible thing to consider would be throwing UDC in garbage it would push us back to 2015 and create chaos.
- B. Sherri Atkinson 191 Atkinson Lane Royston GA – gov overreach has come from top down, implementation of UDC is part of the problem. Family home burned, we are not free to live and have our rights on our own property. \$20K down the toilet with tiny home. If I choose to live in a teepee, that should be my right. Most people would love a perfect home, but most can't afford that and the ordinance stops them from being able to do what they can afford. What is the reason as to why adults cannot do what they want on their own property?

- C. Marcus 191 Atkinson Lane Royston GA – Been building a tiny home for 4 years. We are young and don't have a lot of money. I have construction experience all my life. Marshal said it has to be aired out? Fighting a battle of stuff being in the yard. They are putting their money into the house and then will work on the yard. It is hard in this economy for young people to go out and buy mobile homes/\$250K houses. I don't think it is right that you can't build something on your own land that cheaper until you can work your way up.
- D. Alan Lawhead – 430 Lake Club Cir. Lavonia – hope UDC is not taken out because public should be notified. Quarry is toxic and didn't get approved because UDC made that possible. If UDC thrown out, every group of wealthy people will exploit, it is open season on Franklin County. UDC and County Commissioners are the only things standing between toxic companies. No one would trust you when you throw it out after we've been asked to trust in it. Amend it, don't throw it out. Policial suicide.
- E. Steve Fortson 244 Skyline Way (Gumlog) Lavonia – over history bad things happen to good people, irks me that UDC might be thrown out. We have to have rules. We need to all peacefully speak our minds not do away with UDC. "My rights end where yours begin." What you do on your property affects my property value, we need rules. Won't get anywhere by throwing it out.
- F. Steve Fortson 244 Slyline Way Gumlog Lavonia GA – Irks me that UDC might be thrown out. Have to have rules. Won't get anywhere by throwing it out. What you do on your property effects my property and we have a problem. Can't have it 99% for farmers and 1% for others. Walking backwards if we do away with UDC.
- G. Carey Bennett 183 Bradford Place – if you through out UDC, got a lawsuit coming.
- H. Spencer -Bradford Place Lavonia – Trying to put a quarry right behind my house. I don't want it, less than a mile from city of Lavonia, the school and kids.
- I. Tyler Owenby Clarks Creek Road Martin GA– not saying throw it out, but if you're not going to fix it -throw it out.
- J. Courtney Long 451 Hwy 356 – spending hours away from my kids because of studying the UDC and making requests. There are 38 pages of legal for something totally different, but can't work on what they've proposed. UDC could be fixed but we have not seen that yet.
- K. Lou Cade 721 Carnesville – Farmers only asking for it to be restored. Zoned AI to AG. Farmers aren't asking for special treatment just want land to be restored.

UDC caused the problem. Not saying throw it out but it's not the farmers vs. lake. We just want it to be restored.

- L. Tommy Sears 5572 Athens Road – all components of a bigger thing. UDC was adopted so we could have some say, idk if it's the right thing or not. A lot of legit requests about changes. Power is being taken away from upper government b/c they say its for affordable housing, but they just want to make a lot of money. Referenced Forsyth County – we don't want to go suburban Atlanta, Greenville, Forsyth, etc. Talk to our legislators and say we want to make our own decisions, not have it run by Atlanta.
- M. Terry Roberts 64 Mtn. View Drive Lavonia GA – A lot of errors or things that should be addressed, each of these things should be looked at even if we have to hire someone to help planning and zoning. SheShed – codes state is not allowed to live in. They should not be allowed to live in them. My neighbors should not be able to affect my property value.
- N. Guerry Hall 150 Guerry Hall Road -people of Franklin County believe you should be able to do what you want to on the land, need to either buy you out or leave you alone. UDC got pushed through here by commissioners who were leaving, and made up by people who don't know a thing about Franklin County.
- O. Emily Hunter 129 Bonnie Lane Martin – SheShed: Atkinson lives in the country on her one land, no neighbors (not like the city no neighbors, shouldn't affect with no one there.) What about little community in Canon of tiny homes. If they're afraid it will affect their property, should put up a fence.
- P. Dustin Kennedy 1690 Highway 106 – only reason can't have a tiny home, need more square footage. Should have more say in what we can do, have to have curb appeal on his land. Off in the country, bought land to be out of the city.
- Q. Beverly Folson Lavonia – Favor of Atkinson – Tiny home fact sheets: she arguments with the code. Farmers vs. the rest? Yet anyone to explain it. We are tax payers, 58 years old, maybe 2 years spent in city limits, had good neighbors cut each other's grass. Need UDC -feel like we were being protected. Got to have industry here and community. We need UDC, must stay in place.
- R. Sherry Atkinson 191 Teresa Atkinson Lane – when you're trying to survive you don't care what the neighbors want. We've been able to barely survive since our house burned down. Sounds like we've got city limits and country limits mixed up. In 2005, county abandoned road, we took care of road and gravel etc., we own most of the road. When someone moved in the place beside them, caused problems. Have to go by certain laws when we leave property-but on my property, it should be my choice. Very shallow to worry about property value over having a place to live. Never said throw UDC out, just needs to be changed quick because people are suffering.

- S. Tina Brod 638 Reno Road – Crying -I'm going to get emotional, Busby brought people together and made people come to the meetings. I made copy of UDC, don't how I feel about it yet. I should be able to do what I want with my property. Have land here and in Jackson County. Trying to build homeless shelter here and people are talking about a place to live? Requests that we all be respectful. I sat in an affordable housing meeting, woman got up and said kids spent Easter in a car. We don't want that here. If people have a place to live, bless 'em. We can wall work together.

Item 4. Items for Discussion

- A. Harold Kilgore 318 Jim Grizzle Road, Royston
– asked to be removed from the agenda.
- B. Jaynee Yocum 368 Woodland Manor Royston – speaking for daughter and son-in-law. Road has a county sign, told by employer that she needs to petition for Rd. to be adopted by county. Green highlighted Road. Very impassable, hard to get to daughter's house. Rest of road that continues to Brittany Harbor Road becomes impassable at driveway. Washed out surface, causes tires to spin recently a postal worker refused to deliver package due to bad road. Babysitter damaged vehicle on road. EMS would have difficult time. Other end approach Brittany Harbor North but reaches a dead end. Safety Hazzard & Impassable for everyone especially EMS and power line company. Ask commissioners to adopt so that the road can be fixed.
-County manager and your district commissioner can assist in giving you the information.
- C. V-2023-001 Variance: Dawn Banks, applicant, DVAB Family Properties LP, property owner, seeks a variance to the Unified Development Code, Sec. 1-201, "Minimum Lot Frontage" to waive the required minimum 60 feet of frontage on a public road to divide off a 3-acre parcel for intra-family land transfer, for 78.23 acres (Map/Parcel 044/021) fronting approximately 825 feet on the north side of Stone Bridge Road across from its intersection with Carroll Church Road, west of Unawatti Road. AG (Agricultural) District zoning. Proposed use: intra-family land transfer (one 3-acre lot). **Recommendation to Approve: 5-0**
Motion to Approve – Commissioner Busby
Motion Seconded – Commissioner Smith
Discussion - none
Vote – 5-0 (approved)

- D. RZ-2023-003 Rezoning: John and Juanita Sullivan, applicants and property owners, seek rezoning from AG (Agricultural District) to HB (Highway Business District) 20.36 acres (Map/Parcel 039/ 005) fronting on the north side of Sandy Cross Road (SR 51) approximately 4,000 feet east of SR 106 (3934 Sandy Cross Road). Proposed use: recreational vehicle park. (companion application: C-2023-007) --
-Application withdrawn
- E. C-2023-007 Conditional Use: John and Juanita Sullivan, applicants and property owners, seek conditional use permit for a recreational vehicle park in a proposed HB (Highway Business District) zoning district for 20.36 acres (Map/Parcel 039/ 005) fronting on the north side of Sandy Cross Road (SR 51) approximately 4,000 feet east of SR 106 (3934 Sandy Cross Road). (companion application: RZ-2023-003)
-Application withdrawn
- F. Text Amendment to Unified Development Code (Zoning Procedures): An Ordinance Amending The Unified Development Code of Franklin County, Georgia, As Amended, To Amend Chapter 12, "Zoning Amendments and Procedures," Article 12-1, "Text Amendment" To Adopt a New Section 12-1-7, "Appeals;" To Amend Article 12-2, "Amendment to the Official Zoning Map (Rezoning)" To Add a New Section 12-2-216, "Special Notice and Procedural Requirements for Certain Residential Zoning Decisions," A New Section 12-2-217, "Special Notice and Procedural Requirements for Certain County-Initiated Residential Rezoning," And a New Section 12-2-218, "Appeals;" To Amend Article 12-3, "Application for Conditional Use," To Add a New Section 12-3-316, "Appeals;" To Amend Article 13, "Variances and Appeals," Article 13-1, "Variances" To Repeal Section 13-1-115, "Finality and Legal Recourse" And To Adopt a New Section 13-1-115, "Appeals;" To Establish An Effective Date; To Repeal Conflicting Ordinances; To Provide For Severability; and For Other Purposes. **Recommended to be tabled: 5-0**
-Chairman Jacques - no action taken. Deferred to staff - item should go back to the planning commission for public hearing/public notice.
- G. Text Amendment to Unified Development Code (Building Regulations): An Ordinance Amending the Unified Development Code of Franklin County, Georgia, As Amended, To Add a New Chapter 16, "Building

Regulations;" To Establish An Effective Date; To Repeal Conflicting Ordinances; To Provide For Severability; and For Other Purposes.

Recommended to be tabled: 5-0

-Chairman Jacques and other commissioners sent it back to the planning commission.

- H. Amendments to the Official Zoning Map of the Unified Development Code (see attached itemization of 568 proposed changes)

Recommended to approve AG to AI map changes: 5-0

- Motion to Approve by Commissioner Foster, seconded by Commissioner Busby. Discussion: Commissioner Smith - asked for the item to be tabled, motion died for lack of a second. Commissioner Foster makes motion to Approve, Commissioner Busby seconded the motion. Vote 4-1 approved (Commissioner Smith voted- opposed).

- I. An application has been submitted to the Franklin County Board of Commissioners for a retail license to sell alcoholic beverages at the following location: 70 Highway 145, Royston, GA 30662. The business name is Rohin Business LLC, dba Sandy Cross Liquor & Tobacco. Rohin Rajani has requested to be appointed as the licensee. Erika Hewatt has requested to be the license designee. The Board of Commissioners will consider the proposed application at the time, and place designated for its regular meetings.

-Robert Ogburn - county and state requirements have been met.

Motion to Approve by Commissioner Foster, seconded by Commissioner Busby. No Discussion. Vote 5-0 approved

- J. An application has been submitted to the Franklin County Board of Commissioners for a retail license to sell alcoholic beverages at the following location: 26 Tugaloo State Park Road, Lavonia, GA 30553. The business name is Tugaloo Corners. Jatin Patel & Jigneshkumor Patel have requested to be appointed as the licensee. Jigneshkumor Patel has requested to be the license designee. The Board of Commissioners will consider the proposed application at the time, and place designated for its regular meetings.

-Robert Ogburn - county and state requirements have been met.

Motion to Approve by Commissioner Foster, seconded by Commissioner Busby. No Discussion. Vote 5-0 approved

- K. Employment Incentive Program (EIP)-Engineering Services RFP
-Derrick Turner recommends Peoples & Quigley. Motion to approve by Commissioner Smith, seconded by Commissioner Foster. No Discussion. Vote 5-0 Approved
- L. Mental Health Awareness Month Resolution
-Chairman Jacques read the resolution. Motion to Approve by Commissioner Busby, seconded by Commissioner Franklin. No Discussion. Vote 5-0 approved.
- M. BOC Building Inspections Program
-Chairman Jacques - the board has given previous direction to staff to make changes to the building inspections and permitting which would reduce regulations, make it more efficient, and give a pathway/occupant waiver to citizens building their own homes. Allow citizens to be able to use a third party for inspections. Poultry houses current fee is \$25 which isn't covering costs, there is a proposed change to \$400.00 fee per poultry house. Board is expecting these changes tonight. UPDATE: Jerry Weitz- Building regulations removed from the agenda tonight, it is going back to the planning commission for a public hearing. The individual home owner language has been worked out by county attorney and will be in the proposed building regulations chapter of the unified development code. Working with the county attorney for a new fee schedule and we will have the new fee schedule next month. The poultry fee would be a separate resolution which doesn't require a public hearing or going to the planning commission. The third-party inspection will be addressed by what the state requires. You will need to make a deliberate change if you want them to be able to use a third party. Chairman Jacques said time is of the essence, we want to approach this with a sense of urgency. We want it to be streamlined with less bureaucracy and thought we would have it addressed tonight. Weitz: In that case, it is my suggestion to put it in the UDC, but it doesn't have to go in there. Chairman Jacques: thought they would be in receipt of the changed regulations tonight. Commissioner Smith is in one hundred percent agreement with Chairman Jacques and Commissioner Foster is in agreement. We don't want to add additional regulations. We want it in the confines in the existing ordinance but streamlined. Commissioner Busby asked for clarification - that they can do a simple ordinance to

make these changes and pass it? Weitz said: yes, but it is subject to the attorney to confirm that. You can have certain ordinances without public hearings that is not zoning related. Chairman Jacques: We would like data on the cost to have the revised ordinance. Weitz: it would only be a few hours and less than a day of work. We will work with the attorney and correct proper references to the state code and state law. We can bring the revision with all the changes you want to the next meeting for your adoption, we will involve the county manager and the planning and zoning director. Chairman Jacques: let us know the cost so we can make a decision to move forward.

N. IBA/Planning and Zoning Board Appointments

-Derrick Turner: we've been reviewing who has been placed on the boards, but having difficulty in finding solid documentation. County attorney - recommends a clean-up ordinance. They will advertise for the positions and each district will have a member for equal representation and one at large member. They will modify and change the ordinance so every year one person will rotate off and each district is represented. - IBA will be posted tomorrow and will run for 30 days.

O. UDC Discussion- Commissioner Robert Franklin

-The Rock Quarry is close to the city of Lavonia and I'm not happy with the UDC and how people are being treated.

-Commissioner Busby said she apologizes for the misconception that the UDC was going to be thrown out today. I'm broken hearted by what I have heard tonight. This county has somehow become divided, at the end of the day we are all suppose to love our neighbor. I hate that it has somehow in people's minds become Gumlog verses Farmers or whatever the case may be. This is all ONE county. On May 5th of last year, I did a Facebook post for the community to get involved. There are unintended consequences, but it is time we get down to the nitty gritty and do the work on it and make it work for the county. My suggestion would be the board of commissioners sit down and meet with the members of the UDC, Mr. Weitz, Mr. Ogburn, the county engineer, county marshal, county appraiser, etc. We owe it to all of you and ourselves to do it and come up with a plan that works for everyone. I stand on the side of personal liberty. I think it is time for us to do the work to get there. Chairman Jacques echoed Commissioner Busby's sentiments. The part time board has been working full time trying to address all these issues. We will move

forward collectively. If we can come up with a workable document to provide the protections we need in this county. I would rather be proactive and work through it with due diligence. Commissioner Foster asked about dates and they decided to get through the budget hearings first. Commissioner Smith: I would like to publicly say I'm not a fan of the UDC, however we do need something. The UDC is not manageable, it is way too much! We need to decide what is important for Franklin County and not all these other areas like Atlanta. We will have to meet somewhere in the middle with common ground. I do believe in personal liberty like Commissioner Busby, I have a real hard time with someone telling me what I can/can't do on my own farm within certain aspects. But I also understand the other aspects that was discussed tonight. I'm happy that people stood up and spoke for what they believed was right, regardless of what side you are on. I'm excited that the county can look forward to moving forward. I want to personally thank you all for that. I'm in full agreement that we do something, but do it the right way and involve everyone. Chairman Jacques: thank you for the heartfelt comments. I know the staff has been pointed in one direction and is now being pointed in a another. Please know this board has a different vision/view and will approach this from a more conservative perspective, less government, less regulations in the lens of the way they will conduct business.

P. Announcements

- Commissioner Franklin commented on the good work of the road department.
- Commissioner Busby - National Day of Prayer is coming up, is there any plans in place for that? Derrick Turner said he is happy to let them use the courthouse like they did last year, but the gentleman hasn't been contacted yet.

Item 5. Adjourn

Meeting Adjourned

Upcoming meetings

May 9, 2023 - Budget Hearing 5:00 pm @ Franklin County Justice Center
May 30, 2023 - Work Session 6:00 pm @ Franklin County Justice Center
June 5, 2023 - Public hearing 5:30 pm @ Franklin County Justice Center
June 5, 2023 - Regular Meeting 6:00 pm @ Franklin County Justice Center

In the interest of public health and safety, all attendees are encouraged to follow the guidelines of social distancing and wear masks when appropriate.

All meetings are held at the Franklin County Justice Center unless otherwise indicated. Please visit the County's website for more information. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities should call the Office of the County Clerk at 706-384-2483 to allow the County to make reasonable accommodations for those persons.

Signed on the 8th day of January, 202³



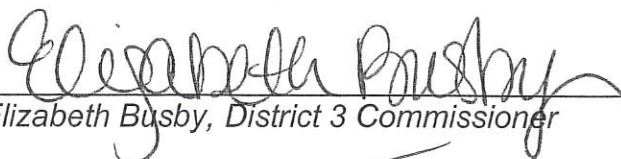
Jeff Jacques, Chairman




Robert L. Franklin, District 1 Commissioner



Kyle Foster, District 2 Commissioner



Elizabeth Busby, District 3 Commissioner



Josh Smith, District 4 Commissioner