



*You Are Why We Are Here*

**FRANKLIN COUNTY  
BOARD OF COMMISSIONERS  
PUBLIC HEARING MINUTES  
January 3, 2022  
5:30 P.M.**

- Present:** Chairman Jason K. Macomson  
District 1 Commissioner Robert Franklin  
District 2 Commissioner Kyle Foster  
District 3 Commissioner Ryan Swails  
District 4 Commissioner Eddie Wester
- Media:** Shane Scoggins, Franklin County Citizen  
MJ Kneiser, WLHR via Zoom
- Staff:** County Manager, Derrick Turner  
County Clerk, Kayla Finger  
Planning & Zoning Director, Scott DeLozier  
County Attorney, Bubba Samuels via Zoom
- Item 1:** **Call Meeting to Order** – Chairman Macomson called the meeting to order at 5:30 pm.
- Item 2:** **Approval of the Agenda:** Commissioner Foster made a motion to approve the Public Hearing Agenda as presented. Commissioner Franklin seconded the motion. No discussion. All were in favor, 4-0. Chairman Macomson reviewed the guidelines for addressing the board and asked all speakers to be mindful of the 5-minute time limit
- Item 3:** **Items for discussion:**
- A. Steve Norris, 170 Norris Rd, Canon, Ga, has filed an application for a side yard setback variance for a Stackhouse on a 22.30-acre tract. The property is located at 170 Norris Rd and is further identified as Tax Parcel 057-087. Director DeLozier summarized the application to the board stating it is normally a 200-foot setback and would need to be adjusted to 75 feet off the property line to accommodate terrain limitations and topographical challenges on Mr. Norris' parcel. It was noted for the record that Mr. Norris' neighbor has submitted a letter stating her approval of Mr. Norris' request. There is an existing poultry house that was built prior to current



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regulations that actually sits closer to the line than the proposed Stackhouse. The planning commissioner voted unanimously to approve the application. Director DeLozier stated that was his recommendation as well. There were no added conditions.

Mr. Norris briefly restated his request.

No one spoke in favor of, or against the application. There were no additional questions.

- B. Brian Watkins, 14944 Hwy 17, Lavonia, Ga, has filed an application for a variance to extend the maximum length of a cul-de-sac road on a +/- 163.66-acre tract. The property is located at 17411 Hwy 17 and is further identified as Tax Parcels 042-053 & 042-038.

Director DeLozier summarized the application stating the current regulations call for a maximum length of 1,500 feet, but he noted that this was written around the thought of lot sizes of 1 acre. Mr. Watkins' lots will be 3-7-acre tracts. There will also be two privately maintained roads. The variance request would allow for a longer cul-de-sac road. The planning and zoning board unanimously recommended approval for the application with the condition that the final plans implement a secondary permanent cul-de-sac turnaround spot as indicated on the preliminary plans. This would serve as a turnaround for emergency vehicles.

Mr. Watkins briefly restated his request. He further explained the need for this extension since this will be a much larger subdivision with 3-7-acre tracts. He also stated his willingness to comply with the recommended conditions. These homes are intended to be single-family, stick-built, affordable starter homes.

No one spoke in favor of, or against the application.

Commissioner Swails asked if the stick-build homes will be crawl-space or slab?

Mr. Watkins stated they haven't gotten that far in the planning process yet and he noted that they will just be selling the lots and they will then be built.

Chairman Macomson asked how these new builds would be held to the restrictions of the subdivision.

Mr. Watkins explained it would be a deed restriction.

Commissioner Foster asked if it would the additional cul-de-sac road would be dirt/gravel.



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Mr. Watkins stated it would and that it would be built to county standards. It will be a private road maintained by those occupying the subdivision. Director DeLozier noted that the current regulations require a seller's clause and a notation on the deed clearly stating that this is a privately maintained road. There are no plans of an HOA at this time but there could be potential for a property owner's association. There were no additional questions.

- C. Steven Brown, 6373 Hwy 145, Carnesville, Ga, has filed an application for a Conditional Use Permit to operate a custom automotive paint shop as a home-based on a 2-acre tract. The property is located 6373 Hwy 145, and is further identified as Tax Parcel 036-039.

Dir. DeLozier summarized the application stating that Mr. Brown wants to operate a smaller scale home-based custom auto paint shop. This has been heard by the planning and zoning board twice, due to some concerns after the first presentation. After the second presentation, the planning and zoning board voted 4-1 to recommending approval of the request with the condition that a vegetative buffer be planted on the west side of the property line. Dir. DeLozier went out and met with the applicants at the location to designate placement of the buffer. It would be approximately 150 feet long and would run from the front of the shop to the back of the storage building at the end of the property line. The applicants agreed to this. They also agreed to the condition of sticking to the stated hours of operation to avoid noise issues. The hours were listed as 7:00 AM - 7:00 PM, Monday - Friday and 10:00 AM - 2:00 PM on Sunday. He also confirmed that the exhaust fan was properly fitted with a filter to help with paint fumes.

Jessica and Steven Brown addressed the board with their application. They explained delays in getting their application completed were due to COVID. They also noted that they have worked to comply with all requests and concerns with the Planning and Zoning Board and their neighbors. Steven also defined that he specifically restored older cars and customizes them to his customers specifications.

Chairman Macomson called for those to speak in favor of the application, there were none.



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Chairman Macomson called for those who wished to speak against the application.

Ms. Dale Fowler 6305 Hwy 154, she is a neighbor to the applicant and spoke in opposition of their application pointing out that the applicants are renters not the actual property owners.

Ms. Theresa Jordan, 214 Gainesville St. spoke in opposition of the application. She is a realtor and expressed her concerns about how this application will impact the values of properties in the area.

Mr. & Mrs. Brown came back before the board and presented documentation including photos of the property. They restated their willingness to work with their neighbors to be compliant. They addressed the concern that they were renters and did note that they wished to eventually purchase the property.

Commissioner Wester asked if he has been operating the business and how long it's been going on?

Mrs. Brown stated since the end of 2018.

Commissioner Wester wanted to know why they were applying now?

Mr. Brown stated he has been trying but there were holdups due to COVID. Mrs. Brown stated they also did not know at first that they needed a business license and when they applied, COVID hit.

Commissioner Swails asked if they had worked for someone in the past. Mr. Brown said he used to work at Rocky Ridge but was motivated by the desire to be self-employed. He said this started as a hobby and grew into a business because he was good at it. He said he is partially disabled and working at home is easier for him.

Commissioner Foster asked them to identify the paint booth from the photos and they did.

Commissioner Franklin noted it would be a tough decision because the noise was a real issue and concern for neighbors and asked how close the building is to the property line. Mrs. Brown said it was about 42.8 feet away. Commissioner Franklin asked if they plan to close in the open building at some point, and Mr. Brown said it was possible.

Chairman Macomson asked what type of plants would be used for the buffer, and how wide it would be. Director DeLozier



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explained that the county requires certain species of certain width and height. One row of evergreens would need to be about 20 feet wide. Chair Macomson asked how the buffer growth would be monitored. Dir. DeLozier said the planning and zoning commission would notify him when the buffer was planted. There may be a grace period of several months due to the timing of the optimal planting season.

Chairman Macomson also asked if the owners currently meet the hours of operation recommended by the planning commission as a condition. Mr. & Mrs. Brown said they had for the most part, with maybe 1-2 customers on site per week.

**Item 5      Adjournment**

Signed on the 7<sup>th</sup> day of February, 2022

Jason K. Macomson  
Chairman Jason K. Macomson

Robert L. Franklin  
Robert L. Franklin, District 1 Commissioner

Kyle Foster, District 2 Commissioner

Ryan Swails  
Ryan Swails, District 3 Commissioner

Eddie Wester  
Eddie Wester, District 4 Commissioner

Kayla Finger  
Kayla Finger, County Clerk