



You Are Why We Are Here

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
PUBLIC HEARING MINUTES
May 3, 2021
5:30 p.m.**

BOC: Commission 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 Director Scott DeLozier

County Attorney: Bubba Samuels via Zoom

- 1. Call Public Hearing Meeting to Order** Chairman Macomson called the meeting to order at 5:30 p.m. He thanked and welcomed everyone in attendance.

Chairman Macomson asked for a motion to amend the agenda to include item H. Subdivision and Land Development Ordinance that was properly advertised for, but inadvertently omitted from the agenda.

- 2. Public Hearing Items for Discussion**

- A. Steven Brown, 6373 Hwy 145, Carnesville, Ga has filed an application for a Conditional Use Permit for a home-based occupation to operate an automotive paint shop on a +/- 2-acre tract. The property is located at 6373 Hwy 145 and is further identified as Tax Parcel 036-039. Director DeLozier notified the board that this application had been withdrawn.
- B. Conditional Use Permit – Mr. Mark Hamner, 1819 Pleasant Hill Cir, Martin, Ga, filed an application for a Conditional Use Permit for a home-based occupation to operate a meat and produce farm store on a +/-1.67-acre tract. The property is located at 1819 Pleasant Hill Cir, and is further identified as Tax Parcel 051-062. Mr. Mark Hamner & Mr. Will Hamner explained to the board that they would like to sell vacuum packed frozen meat and fresh produce from their home-based occupation. The Planning & Zoning Board



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recommended approval of their application. No one spoke in favor of or against the application.

- C. Conditional Use Permit – Mr. Brendan Smith, 548 Normandy Tr, Lavonia, Ga, has filed an application for a Conditional Use Permit for a home-based occupation to operate a landscape design business on a +/- 0.328- acre tract. The property is located at 548 Normandy Tr, and is further identified as Tax Parcel 070B-043. Director DeLozier reviewed the application, which will be essentially a landscape business using computer software to design landscaping plans. The planning and zoning board recommended approval of Mr. Smith's application. Mr. Smith told the board that his business will be all indoors work. He does client consults on-site at projects. No one spoke in favor of the application. Mr. Terry Roberson spoke in opposition of the application, stating if passed it would set a precedent for future applications like it. Mr. Smith was allowed to rebuttal and stated that he will have no deliveries and no employees. No customers will come on-site. He will present plans for clients at project sites. Director DeLozier informed the board that the conditional use permit is a required for Mr. Smith to be granted a business license.
- D. Martha Wilson, 5844 Vickery St, Lavonia, Ga has filed an application for a side- yard setback and a lot size variance for a mobile home on a +/- 0.92-acre tract. The property is located at 101 Clarks Creek Rd, Martin, GA and is further identified as Tax Parcel 052-023. Director DeLozier summarized the application for the board, and explained that the proposed use does not meet any of the current zoning requirements. There is already one double wide mobile home on the site. The applicant wants to place a second mobile home – double wide on the same site. The planning and zoning board recommended approval with the condition that once the occupant of the current mobile home is no longer living there for whatever reason, the current mobile home would be moved off the lot and no additional structures can be added to the site after that. Ms. Wilson explained to the board that the current double-wide is for her ailing father, who is 83 years old and handicapped. There were two additional single-wides present that were moved, and she would like to place another double-wide where the other single-wides were previously located, so that she can care for her father. Mr. Mark Smith, a cousin of the applicant, spoke in favor of the application. He explained to the board that he owns the adjoining property, all of which was subdivided from a larger tract owned by



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family members through the years. He stated that he has no objections with the side-yard setback variance. No one spoke against the proposed application.

- E. Variance Request - Alan Mitchell, 376 Baty Rd, Martin, Ga has filed an application for a rear yard setback variance for a stackhouse on a 13.80-acre tract. The property is located at 1755 Freeman Rd and is further identified as Tax Parcel 042-041.

Director DeLozier explained to the board that the proposed site for the stackhouse would not meet current zoning regulations which is why Mr. Mitchell would require a setback variance. The USDA is pushing for stackhouses as a better way to manage litter and chicken carcasses. The setback variance will reduce the required setback of 200 feet down to 52 feet.

Mr. Mitchell spoke to the board and advised that he had submitted a letter from the adjacent property owner stating he had no objections. No one spoke in favor of the application. No one spoke against the application.

Commissioner Swails asked Director DeLozier if the Planning and Zoning Commission has looked at updating zoning regulations concerning stackhouses, as they are becoming more commonly used on poultry farms. Mr. DeLozier said that they have studied the issue and feel like the current zoning requirements are appropriate.

- F. Aubrey Lunsford, 2234 Careytown Rd, Royston, GA has filed an application to rezone from AI (Agriculture Intensive) to RS (Residential Single Family) on a +/-120.35-acre tract for a proposed 50 lot subdivision. The property is located at the intersection of Hwy 106 and Harrison Bridge Rd and is further identified as Tax Parcel 036-033. Director DeLozier told the board that the proposed subdivision will consist of 50-lots of single-family homes. The roads in the development will meet county standards and the county will be asked to adopt them after project completion. The project meets all current zoning regulations, and the planning and zoning board has recommended approval with the condition that the soil testing for septic systems is adequate.

Mr. Lunsford stated he would also like to rezone 2 ½ acres on the corner of Hwy 106 and Harrison Bridge road from Ag Intensive to Commercial General (CG). He has plans to develop it at a later date, with possible plans of a gas station/convenience store.

Chairman Macomson advised they would combine this application with the next application, to which Mr. Lunsford referred. Mr. Lunsford has also filed an application to rezone approximately 2.53 acres from Ag Intensive to Commercial General.

Commissioner Swails asked about county water resources.



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Director DeLozier stated that Mr. Lunsford had applied for a water line extension to serve the project.

Commissioner Swails asked about the types of houses. Mr. Lunsford said they would be about 1500-1600 square feet, with 3-4 bedrooms. He is waiting on soil testing for septic systems, which will determine how many bathrooms could be in each house. No one spoke in favor or in opposition of the application.

G. Aubery Lunsford, 2234 Careytown Rd, Royston, GA has filed an application to rezone from AI (Agriculture Intensive) to CG (Commercial General) on a +/- 2.53-acre tract. The property is located at the intersection of Hwy 106 and Harrison Bridge Rd and is further identified as Tax Parcel 036-033. This item was presented in conjunction with item F.

H. * Amended Item* Subdivision and Land Development Ordinance - Director DeLozier explained he along with John Phillips, County Engineer, Bob White, Public Works Director and Nick Johnson Road Superintendent have been working for months with Mr. Jerry Weitz who acted as a consultant and helped write the ordinance. There are current issues with how water and sewer lines are laid out in developments, and the current zoning may not be aligned well with current state regulations. The intent of the new ordinance is to update the form to align with current state regulations and eventually incorporate zoning with the land development ordinance to create a Unified Development Code (UDC) that can be maintained and updated in the future.

Chairman Macomson closed the public hearing at 6:05 p.m.

Signed on the _____ day of _____, 2021

Chairman Jason K. Macomson

Robert L. Franklin, District 1 Commissioner

Kyle Foster, District 2 Commissioner



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Ryan Swails, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Kayla Finger, County Clerk

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