



HABERSHAM COUNTY  
GEORGIA | Est. 1818

# HABERSHAM COUNTY

Planning & Development

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MINUTES  
HABERSHAM COUNTY PLANNING COMMISSION  
Public Hearing  
Tuesday, April 2, 2024

The Habersham County Planning Commission held a public hearing on Tuesday, April 2, 2024, at the Habersham County Courthouse, located at 295 Llewellyn St. in Clarkesville, Georgia.

Planning Commission Members Present: Greg Hill, Jessie Owensby, Mike VanWinkle, Jim Kiger, Jason Smith & Derick Canupp.

Also, present was Mike Beecham, Planning & Development Director, Troy Dills, Habersham County Planner, & Habersham County Attorney, Ralph Taylor.

Commissioner D. Higgins was unable to attend.

**CALL MEETING TO ORDER:**

Chairman Mike VanWinkle called the meeting to order at 6:00 PM.

**INVOCATION:**

The invocation was given by Commissioner Jason Smith.

**APPROVAL OF MINUTES:**

Approved without change.

**APPROVAL OF AGENDA:**

Approved without change.

**PUBLIC COMMENT:**

None.

**OLD BUSINESS:**

**CU-24-02:** Austin Fox is seeking a Conditional Use to operate a light duty diesel & auto repair shop on a piece of property. The tract is located on STHWY 115 and is further identified as Map 068 Parcel 016.

Before the proposal was discussed, Commissioner Mike VanWinkle stated that he needed to hear a motion and a second to un-table the request.

A motion was then made by Commissioner Derick Canupp to un-table the proposal.

It was seconded by Commissioner Jim Kiger. All were in favor.

Planning Director Mike Beecham then brought before the Planning Commission that we had received an e-mail from the applicant requesting that the item be removed for discussion.

**Z-24-01:** David Irvin is seeking a Map Amendment to rezone (2) parcels to HI – High Intensity. The tracts are located at 363 Glade Creek Pkwy and 243 Glade Creek Pkwy. They are further identified as Map 145 Parcel 040 and Map 145 Parcel 033.

Before the proposal was discussed, Commissioner Mike VanWinkle stated that he needed to hear a motion and a second to un-table the request.

A motion was then made by Commissioner Derick Canupp to un-table the proposal.

It was seconded by Commissioner Jessie Owensby. All were in favor.

After the proposal was presented, the applicant was given a chance to speak.

Mr. Irvin began to speak about the proposal and how that at the last Planning Commission meeting he had requested a rezoning of the (2) properties. He had first made a request to have them both rezoned to HI – High Intensity. Due to the lack of agreement among the Commissioners, this item was tabled in the last Planning Commission meeting. Some Commissioners wanted to rezone the property to MI – Medium Intensity which would put stricter limitations into place. Mr. Irvin brought up the fact that by a phone conversation with Planning Staff, he had agreed that he would be ok with the property being rezoned MI – Medium Intensity. The applicant again reaffirmed that at this time there are no immediate plans for the properties. However, long term plans include using this site for a new Burger King location. Mr. Irvin stated that Burger King does want to build at this location. Mr. Irvin discussed that he had been in touch with GADOT about getting a cut from Hwy 441, but at the moment plans are to use Glade Creek Pkwy as access to the property.

After Mr. Irvin was finished speaking, those in favor or in opposition to the proposal were given a chance to speak as well.

The following person was in attendance in opposition to the proposal:

- Robin Frady 316 Morris Frady Rd. Mt. Airy, Ga. 30563

Mrs. Frady also spoke about her concerns with the proposal in the previous March 5, 2024, Planning Commission meeting as well. The concerns and/or issues are listed below and remain pretty much the same.

- Safety concerns from increased traffic in a rural and agricultural area.
- Erosion issues that would affect the local streams and creeks.

Mr. Wade Rhodes was also in attendance, and he strongly urged the Planning Commission to take into consideration the issues that excess traffic could impose on the local neighborhood.

After everyone had finished speaking, public comment was then closed so that the Commissioners could discuss the proposal and vote.

A motion was then made by Commissioner Jessie Owensby to approve Z-24-01 rezoning it to MI – Medium Intensity.

It was seconded by Commissioner Jason Smith. The motion was carried by a 5-1 margin.

The results of the votes were as follows:

Commissioner Greg Hill – Nay	Commissioner Jessie Owensby – Yea
Commissioner Mike Van Winkle - Yea	Commissioner Jim Kiger – Yea
Commissioner Jason Smith – Yea	Commissioner Derick Canupp – Yea

**NEW BUSINESS:**

V-24-02: Irma Jones is seeking a Variance to be allowed to split off an acre of her property to construct an additional single-family residence. The tract is located at 1055 Soque Ridge Circle and is further identified as Map 042 Parcel 220.

After the proposal was presented, the applicant was given a chance to speak.

The applicant, Mrs. Irma Jones, along with her husband began to outline their intentions for the property and why the Variance was requested. They currently own 7.21 acres and would like to split off an acre to allow one of their children to build a single-family residence. Due to the wording on the final plat of their subdivision, it prohibits them to do so without Planning Commission approval. Therefore, Mrs. Jones asked the Planning Commission to please consider the request.

No one was in attendance to speak in favor or in opposition to the proposal.

After everyone had finished speaking, public comment was then closed so that the Commissioners could discuss the proposal and vote.

A motion was then made by Commissioner Greg Hill to approve V-24-02 as submitted.

It was seconded by Commissioner Jason Smith. The motion was carried by a 5-1 margin.

The results of the votes were as follows:

Commissioner Greg Hill – Yea	Commissioner Jessie Owensby – Nay
Commissioner Mike Van Winkle - Yea	Commissioner Jim Kiger – Yea
Commissioner Jason Smith – Yea	Commissioner Derick Canupp – Yea

CU-24-03: Global Storage Solutions is seeking a Conditional Use to allow construction of a self-storage facility. The tract is located at 3221 STHWY 17 and is further identified as Map 040 Parcel 022.

After the proposal was presented, the applicant was given a chance to speak.

Alex Mitchem was the spokesperson for Global Storage, and he began to speak about the property and what their plans were. He said that they were open to any conditions that may be placed on them by the Planning Commission. Mr. Mitchem stated that only a portion of the property would be used. He also mentioned that

there would be a space available for R/V parking as well. He realized that this was an area where traffic and safety was already a concern, and they had taken that into consideration.

After Mr. Mitchem was finished speaking, those in favor or in opposition to the proposal were given a chance to speak as well.

The following persons were in attendance in opposition to the proposal:

- Linda Ashworth 222 Harvest Church Rd. Clarkesville, Ga. 30523
- Connie Thomas 748 Harvest Church Rd. Clarkesville, Ga. 30523

Below are listed a few of the issues and concerns that were discussed by those in opposition.

- An increase in traffic that has already occurred due to the new subdivision.
- Safety concerns for those that ride school buses and people that attend church in the neighborhood.

After everyone had finished speaking, public comment was then closed so that the Commissioners could discuss the proposal and vote.

A motion was then made by Commissioner Derick Canupp to deny CU-24-03.

It was seconded by Commissioner Jim Kiger. All were in favor.

The results of the votes were as follows:

Commissioner Greg Hill – Nay  
Commissioner Mike Van Winkle - Nay  
Commissioner Jason Smith – Nay

Commissioner Jessie Owensby – Nay  
Commissioner Jim Kiger – Nay  
Commissioner Derick Canupp – Nay

### **SUBDIVISIONS:**

**SV-22-03:** Ryan Chitwood (A&R Homes) is seeking final approval of a plat for lots 1-5 in Harvest Church Estates Phase 2. The tract is located at 3221 STHWY 17 and is further identified as Map 040 Parcel 022.

Before the proposal was discussed, Commissioner Mike VanWinkle stated that he needed to hear a motion and a second to un-table the request.

A motion was then made by Commissioner Derick Canupp to un-table the proposal.

It was seconded by Commissioner Jason Smith. All were in favor.

After the proposal was presented, the applicant was given a chance to speak.

Attorney Jeffery Reynolds and the Chief Operations Officer for A&R Homes, Chuck Ingram, were there to speak on behalf of the applicant. According to Mr. Reynolds and Mr. Ingram, A&R Homes had done exactly what had been asked of them. They stated that they had followed the plans for construction of the road according to guidelines that were set before them. Mr. Reynolds made it clear that they have been before the Planning Commission for approval of this final plat many times and they asked for a decision this time.

After Mr. Reynolds and Mr. Ingram were finished speaking, those in favor or in opposition to the proposal were given a chance to speak as well.

The following resident was in attendance to speak in opposition to the proposal.

- Chase Thomas 550 Harvest Church Rd. Clarkesville, Ga. 30523

The following issue below was the main concern that Mr. Thomas had.

- Continuous drainage and erosion problems.

After everyone had finished speaking, public comment was then closed so that the Commissioners could discuss the proposal and vote.

A motion was then made by Commissioner Derick Canupp to approve SV-22-03 as submitted.

It was seconded by Commissioner Jessie Owensby. The motion was carried by a 4-2 margin.

The results of the votes were as follows:

Commissioner Greg Hill – Nay  
Commissioner Mike Van Winkle - Nay  
Commissioner Jason Smith – Yea

Commissioner Jessie Owensby – Yea  
Commissioner Jim Kiger – Yea  
Commissioner Derick Canupp – Yea

**REPORTS TO COMMISSION:**

None

**ADMINISTRATIVE MATTERS:**

None

**ADJOURNMENT:**

Meeting adjourned at 7:45 PM.

As approved by the Habersham County Planning Commission:

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Executive Secretary

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Date