

HABERSHAM COUNTY
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HABERSHAM COUNTY

Planning & Development

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MINUTES
HABERSHAM COUNTY PLANNING COMMISSION
Public Hearing
Tuesday, March 5, 2024

The Habersham County Planning Commission held a public hearing on Tuesday, March 5, 2024, at the Habersham County Courthouse, located at 295 Llewellyn St. in Clarkesville, Georgia.

Planning Commission Members Present: Greg Hill, Jessie Owensby, D. Higgins, Mike Van Winkle, Jim Kiger, Jason Smith & Derick Canupp.

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

CALL MEETING TO ORDER:

Chairman D. Higgins called the meeting to order at 6:00 PM.

INVOCATION:

The invocation was given by Commissioner Derick Canupp.

APPROVAL OF MINUTES:

Approved without change.

APPROVAL OF AGENDA:

Approved without change.

PUBLIC COMMENT:

None.

NEW 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.

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

However, Mr. Fox was not present. There was also no one in attendance for or against the proposal.

A motion was then made by Commissioner Mike Van Winkle to table **CU-24-02** until the April Planning Commission Meeting.

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

The results of the votes were as follows:

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

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

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.

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

Mr. Irvin began to speak and talk about his intentions for these two parcels. He mentioned 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. The applicant also 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 people were in attendance in opposition to the proposal:

- David Christiano 387 Glade Creek Pkwy Mt. Airy, Ga. 30563
- Stephen Frady 535 Glade Creek Pkwy Mt. Airy, Ga. 30563
- Robin Frady 316 Morris Frady Rd. Mt. Airy, Ga. 30563
- Michelle McClain 7231 Dicks Hill Pkwy Mt. Airy, Ga. 30563

All of those in attendance against the proposal had mainly the same concerns and/or issues that are below:

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

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

Due to the list of concerns mentioned, Commissioner Mike Van Winkle made a motion to rezone the property to MI – Medium Intensity instead of HI – High Intensity which would put stricter limitations into place.

There was not a second, so the motion failed.

Due to the lack of agreement among the Commissioners, Commissioner Greg Hill then made a motion to table **Z-24-01** until the April Planning Commission Meeting.

It was seconded by Commissioner Mike Van Winkle. The motion was carried by a 5-1 margin.

The results of the votes were as follows:

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

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

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.

After the proposal was presented, Commissioner Jason Smith brought to the attention of all in attendance that there were still some remaining drainage issues on the property that needed to be addressed. Mr. Smith stated that although the applicant had finished the road as was required for them to do, it was not done as designed. According to Commissioner Smith the layout of the road project had some variations from the original plan that was put in place. This has left some serious drainage issues which in turn were posing problems for already existing residents in the community.

When Commissioner Smith was finished speaking, the applicant was then given a chance to respond.

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.

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 issues below were the main concerns that Mr. Thomas had.

- Silt fencing has not been installed properly.
- 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 Jason Smith to table SV-22-03 until all drainage issues are resolved.

It was seconded by Commissioner Mike Van Winkle. All were in favor.

The results of the votes were as follows:

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

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

SV-24-01: America's Home Place is seeking approval of a preliminary plat for a 114 lot Conservation Subdivision. The tract is located on Hancock Rd. and is further identified as Map 078 Parcel 088.

A motion was made by Commissioner Mike Van Winkle to un-table SV-24-01 so it could be discussed.

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

After the proposal was presented, anyone in attendance in favor of or in opposition to the proposal was given a chance to speak.

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

- Connie Berry 1040 Hancock Rd. Demorest, Ga. 30535

Below are some of the concerns that Mr. Berry had:

- Increased amount of traffic. Lots of new houses on an already small road.
- Possibility for an increase in crime.

After Mr. Berry 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 Mike Van Winkle to approve SV-24-01 with the following conditions:

- Any tract that is not developed is to be left natural saving all trees with the exception of stormwater management area..
- The roads on either side of the development must be tied together.
- Proper and efficient street lighting must be installed.

It was seconded by Commissioner Derick Canupp. 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

SV- 24-02: Bryan Whitenton is seeking approval of a preliminary plat for an 18-lot subdivision. The tract is located on Duncan Bridge Rd. and is further identified as Map 092 Parcel 002A.

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

Mr. Whitenton stated that since he lives just down the road from the proposed subdivision, he will make sure that everything goes as required and expected of him.

After Mr. Whitenton 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 Jason Smith to approve SV-24-02 providing the applicant satisfies all requirements given to them by Environmental Health.

It was seconded by Commissioner Greg Hill. All were in favor.

The results of the votes were as follows:

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

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

OLD BUSINESS:

None

REPORTS TO COMMISSION:

None

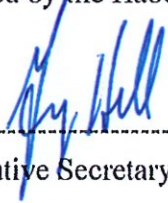
ADMINISTRATIVE MATTERS:

None

ADJOURNMENT:

Meeting adjourned at 8:00 PM.

As approved by the Habersham County Planning Commission:



Executive Secretary



Date