

**Lamar County Board of Commissioners**  
**Public Hearing**  
**January 15<sup>th</sup>, 2019**  
**7:00 P.M.**

Building and Zoning Director Gunter addressed the board with two Rezoning Applications.

The Board heard a report from Building and Zoning Director Gunter regarding Rezoning App. # 2019-01 by Lawrence Fuller to rezone 3.8 acres from R-3 (Single family Residential) to R-4 (General Residential) to allow for a smaller, (Aldora Mill) home. The property is located on Frances Street, Barnesville, Ga. in land lot 75 of the 7<sup>th</sup> Land District, as shown on Tax Map 049 Parcel 004B and recorded in Deed Book 873, pages 274-275. The property in the neighbor already has duplex complexes. Frances Street is a dead-end Street. The planning commission approved the application unanimously.

Building and Zoning Director Gunter continued with the re-zoning items and read Rezoning App. # 2019-02 by Lawrence Fuller to rezone 2.65 acres from R-3 (Single family Residential) to allow for a smaller, (Aldora Mill) home. The property is located on Frances Street, Barnesville, Ga. in land lot 75 of the 7<sup>th</sup> Land District, as shown on Tax Map 049 Parcel 004 and recorded in Deed Book 118, Page 438.

Building and Zoning Director Gunter continued with the re-zoning items and read Rezoning App. # 2019-03 by Burkhan Khudatberdiyev to rezone approximately 4.124 acres from A-R (Agricultural Residential) to M-1 (Manufacturing Light) to allow the parking of moving business trucks. The property is located at 706 High Falls Road, in Land Lot 215 of the 3<sup>rd</sup> district as shown on Tax Map 086 Parcel 042; and recorded in Deed Book 986, Page 38. Building and Zoning Director Gunter said that it is in keeping with the Lamar County Land Use Plan. The applicant did not attend the planning commission meeting so the planning commission tabled the request. The applicant was present for the Public Hearing to answer questions from the Board of Commissioners.

Burkhan Khudatberdiyev of Possum Trot Road Barnesville, Georgia answered questions from the board. Commissioner Heiney asked Mr. Khudatberdiyev how many trucks he planned to park on the site. Mr. Khudatberdiyev said approximately six trucks. Commissioner Heiney inquired about what type of trucks they were and Mr. Khudatberdiyev replied that they were 18 Wheelers. Commissioner Heiney asked if the mud section of the property, that he plans to park the trucks on, would be paved over. Mr. Khudatberdiyev said if he was approved then he would put gravel on the piece of property where the trucks will be parked. Commissioner Heiney stated that the place looks like a homeless camp and it is not very appealing from the road. Mr. Khudatberdiyev said that was because he is not finished. He said he cleared off some of the property but to clear all of it before it is approved is a waste of money. Commissioner Heiney stated that to him he looked like he had cleared about of an acre of land. Commissioner Heiney asked if there was room for 6 18 wheelers and Mr. Khudatberdiyev stated that he thought that there was room but 6 was a high number. Mr. Khudatberdiyev said that he planned to have a small trailer on the property to act as an office. Commissioner Heiney stated that he was concerned with the looks of the property and

said that he has received emails from some of the surrounding neighbors who are also concerned about it. Mr. Khudatberdiyev said that there used to be an abandoned single wide trailer on the property that was falling apart. Commissioner Thrash inquired if the 18 Wheelers would be loaded. Mr. Khudatberdiyev stated that about half would be. Commissioner Thrash asked how much weight would be on the 18 wheelers that are loaded. Mr. Khudatberdiyev replied that they would be a maximum capacity and he didn't really know that answer. He said maybe 6000 lbs. but most of them would be empty. Commissioner Thrash inquired if they are just parking trucks or, are they operating a moving company? Mr. Khudatberdiyev didn't answer the question. Commissioner Thrash asked Mr. Khudatberdiyev if he was moving his business from Possum Trot Road to High Falls Park Road and Mr. Khudatberdiyev said he didn't think so. Commissioner Heiney said that with the log trucks they drag mud down the road and this is a safety problem. Commissioner Heiney said that this is the reason that he is concerned about where they currently park the trucks. Mr. Khudatberdiyev said that he brought one load of gravel and he plans to bring more in to cover the road. Building and Zoning Director Gunter stated that before he can get a business license, he will have to have a construction entrance that meets State requirements. Commissioner Thrash again asked if he is operating a moving company or parking trucks from his Possum Trot business. Building and Zoning Director Gunter responded and stated that Mr. Khudatberdiyev had been cited for parking his trucks on Possum Trot Road and that is why he is looking for a place to park the trucks. Building and Zoning Director Gunter said that when he comes in to renew his business license, he will also have to show that he has a construction entrance.

Commissioner Heiney read an email from a representative of the neighbors who live near the property. Mr. Dion Wolf said that he is writing regarding his opposition of the rezoning application of 706 High Falls Road, application #2019-03. "I have been told that you are my Commissioner in my area. When I purchased my property, I was looking forward to getting out of the City and enjoying the country. I have enjoyed the area and getting to know my neighbors. This is a nice, small community but I am concerned however that if these 4 acres are re-zoned my peace and quiet that I have so appreciated will be greatly disturbed. High Falls Road between Hwy 36 to Van Mar Blvd. is residential and should remain in this manner. We already have to endure the trucks of Peter Built. I hope the Commissioners will not have my community tolerate another business in such close proximity and destroy what little neighborhood we have left. I will be unable to attend the Board of Commissioners meeting set for Tuesday night the 15<sup>th</sup> as I am a hospice nurse and work at night. Please include this email as my opposition to the rezoning application. Thank you, Dion Wolf." Commissioner Heiney inquired about the hours of operation for parking the trucks. Mr. Khudatberdiyev replied that the hours of operation are mostly going to be quite because they mainly will park there to do repairs when the guys go on vacation or holidays. Mr. Khudatberdiyev said that this will not be major repairs. Mr. Khudatberdiyev said the hours of operation are 9:00 a.m. to 5:00 p.m. Commissioner Heiney asked Mr. Khudatberdiyev if they added a time restriction to the approval if this would be reasonable. Mr. Khudatberdiyev said he thought so but since it is such a busy highway and you have a truck stop close by and there are quite a few truck shops with repair trucks, you will still hear trucks going in and out. Mr. Heiney inquired if 99 percent of the business would be before 9:00 or 10:00 p.m. Mr. Khudatberdiyev replied yes to the question. Commissioner Thrash said that her concerns were that the Planning Commission didn't have an opportunity to have information about this without a representative being there. She went on to say that there is no business plan as to what is going to happen. Commissioner Thrash said that his

answers had been unclear and Commissioner Thrash said that she is confused as to what he is going to do on the property because her questions had not really been answered.

Vice-Chairman Traylor inquired about where the trucks were currently being parked. Mr. Khudatberdiyev said that they are being parked at the truck stop. Commissioner Heiney asked Commissioner Thrash if it was the nuance of him operating a business there or parking trucks there and how does that effect the decision-making process. Commissioner Thrash replied that to her when they looked into this and what was presented to her was parking and moving business trucks and then the same people that had called Commissioner Heiney had called her as well and said that he is also putting a mobile office on the property. Commissioner Thrash then said that her question became was he moving the business over there are or they just approving moving trucks? Commissioner Thrash stated that she was prepared to hear that it was box vans that he was wanting to park there but now they are talking about 18 wheelers. Commissioner Thrash stated that she believes that there will be a full moving company on the property. If you are putting 60,000 lbs. on an 18-wheeler, it is probably going to be more like 65,000 to 68,000 lbs. Commissioner Thrash said that they are going to be constantly paving and repairing the road. Commissioner Thrash said that they need to look at a travel plan with the Public Works Director Rigdon for those trucks. Commissioner Thrash stated that this is a safety issue. Commissioner Thrash said they aren't talking about Van Mar Blvd, they are talking about High Falls Road which is heavily traveled. Commissioner Heiney asked Mr. Khudatberdiyev if they are parking trucks or running a full moving business. Mr. Khudatberdiyev said that a full-blown moving business requires a 4000 square foot warehouse and that isn't going to be put on this location. Mr. Khudatberdiyev said that most of the time the trucks are empty. The trucks can't exceed the weigh limit because there is a weigh station nearby and there are Department of Transportation regulations. Commissioner Thrash said that trucks do it every single day. Mr. Khudatberdiyev said that the trucks travel the interstate and can't do it. Commissioner Thrash stated that the 18 wheelers are going to be on County roads and High Falls Road is a county residential road. Chairman Glass stated that they have to go through the weigh station in order to get to High Falls Road. They have to go down the interstate first.

Vice-Chairman Traylor asked Building and Zoning Director Gunter about the Comprehensive Plan for that area. Building and Zoning Director Gunter said that this area is commercial and from the County Line up to High Falls Road it is commercial. Commissioner Heiney stated that it is a lawful use of the property and Building and Zoning Director Gunter agreed. Commissioner Thrash said that she agreed but her point was are they being irresponsible by not seeing some kind of business plan. Commissioner Thrash inquired about how the moving business works. Mr. Khudatberdiyev said that he will have jobs out of Mississippi, Florida and Colorado. He said that they don't do local but they will use the interstate. They own the trucks and they use brokers. Commissioner Thrash stated that they still need to have a business plan regarding paved entrances and routes that need to be used. She said that she isn't saying that he shouldn't have a right to apply for this zoning but are we just saying "Merry Christmas". Mr. Khudatberdiyev said that they can't have a full moving business because there is no warehouse for the business. The trailer for the office is optional because it is for the convenience of the truck driver who may want to take a rest outside of the truck. Mr. Khudatberdiyev said that they are going to have a warehouse in Maryland and if that doesn't work out, they will find another warehouse in Georgia. They need somewhere to park the trucks because it is getting too expensive to pay someone else to park the trucks. He said that

most of the trucks are empty. Commissioner Thrash inquired if they had looked at having a warehouse in Lamar County. Mr. Khudatberdiyev replied no because Lamar County is too far from the interstate. It would be too expensive because the drivers are paid by the mile and they won't make any money. Commissioner Thrash and Commissioner Heiney both said that this makes sense.

### **Grove Street Road Closing**

Chairman Glass stated that this is a portion of the road from the railroad track to Industrial Road. Chairman Glass explained that Jordan Lumber wants this portion of the road to be closed for public safety reasons because of the use of their equipment going back and forth on their property. Mr. Larry Spillers, addressed the board and said that he was the Georgia Operations Manager for Jordan Forest Products in Barnesville, Georgia. He said that this information was correct. Chairman Glass inquired if emergency vehicles would have access. Mr. Spillers said that there is already an easement there and he would recommend that before there is a transfer of the property. He said that the easement will be done with the City of Barnesville and Lamar County for all utility vehicles or any other governmental vehicles that the agencies may have. He said that this wouldn't be an issue because the Industrial Park will continue to grow. He said they hope to attract other businesses so that they continue to produce revenue for the County and the City of Barnesville. He said closing this road is a safety concern, as much as they go across the public road. He said that emergency and utility vehicles already have a current easement. Mr. Spillers said that they will provide the easement in this transfer of deeds providing the road is abandoned and it reverts to adjacent property owners. He said that this would be a recommendation of his. Fire Chief Matthews inquired about moving the guards and Mr. Spillers said that the intent is not to move the guards and the major truck traffic has to come down the truck route, down Industrial Road. Mr. Spillers said he would anticipate, where the two-chain length fences comes across the property, that they eventually will have a gate there. They will have to do something to keep the public from going through there. He said that the main reason they want to close the road is for public safety. They want emergency management to have access to their facility. Mr. Spillers said that once they have the easement, and it's locked the emergency management has the right to go through there at any time.

### **Adjournment**

Commissioner Horton made a motion to adjourn the Public Hearing at approximately 7:34 p.m. and Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

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Charles Glass, Chairman

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Ryran Traylor, Vice-Chairman

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Bennie Horton, Commissioner

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Robert Heiney, Commissioner

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Nancy Thrash, Commissioner

Attest: \_\_\_\_\_ Carlette Davidson, County Clerk