

Lamar County Board of Commissioners
Public Hearing
December 17th, 2019
7:00 P.M.

Building and Zoning Director Buice addressed the board with a subdivision application 2019-03 by Bowen Jones. She reported that Mr. Jones is proposing to build an 11 lot subdivision along Five Points Road, all within ½ mile of Hwy 41. The lots range in size from 2.031 acres to 5.5 acres with the average acreage per lot of 3.31 acres. Mr. Jones would like to build homes from 1800 to 2200 square feet with a price range of \$225,000.00 to \$275,000.00. Public water is available to approximately the middle of the existing 36.44-acre parcel. If the subdivision is approved, Mr. Bowen will extend the waterlines to all of the new lots. All lots will be on septic tanks as there is no sewage available. The road is in good condition. There is sufficient site distance. The property is heavily wooded and appears to have hills and gullies. therefore, extra care will need to be taken when clearing to make sure any disturbed soil doesn't leave the site. The proposed subdivision is located in Development Area 14-West Central which encourages rural subdivisions where public water is supplied. Building and Zoning Director Buice stated that the Planning and Zoning Commission board gave their approval.

Public Comments

Gene Cosby of 212 Five Points Road addressed the board and stated that he lives directly across from the land that Mr. Jones is proposing to develop. He says that the property that he is proposing to develop was a part of his great granddaddy's farm and it is 4th generation. He stated that he had two concerns. One is that he doesn't want Lamar County to turn into Henry County. He said that he is concerned that people from Henry County are leaving and coming down this way for a piece of land that they can develop on and have a little privacy. Mr. Cosby said that he has a little over 24 acres with 1858 feet of road frontage. He said that his neighbor to the right of him is his cousin, Patty Becker Vining, and she has 39 acres and to the left of him is Carl and Betty Bryan. He said that Mike and Melanie Maynard live to the right of the property that is proposed to be developed, on this road, and they own 30 plus acres. He said that his main concern is the change with their part of the County. Mr. Cosby said that he has lived on this road for 45 years; since 1974. He said that there will be 11 driveways across from his house and currently there are none. He said that there is a tractor path that goes back into the woods and that is it. Mr. Cosby said that the land is heavily wooded and he has hunted on it. Mr. Cosby stated that this property could only be developed into 5 or 6 lots. He said that there is water across the street from his property and the waterline is on his side of the road. He said that Mr. Jones is asking for 125 foot of setback off the road. Mr. Cosby said that this is putting a neighborhood in front of farm land. He said that the majority of the property that has been built on, in the County, has been 5 acres. Mr. Cosby said that the smallest lot in their area is the Martin Property and it is over 5 acres and is right next to the property of Mr. Gordy Smith. Mr. Cosby requested that the lots be changed to 5 acres lots and more setback from the road because he said that there is nothing like this in this area of the County. Mr. Cosby requested that the board consider the wants of everyone who lives in that area of the County. Mr. Cosby stated that Five Points Road has become a speedway. He said that it is the highest traveled cut through road in the County. He said that trash is dumped on the road every

day. Mr. Cosby stated that he mows the right of way with his own tractor. He said with 11 more driveways there is not a safe way to get off of Hwy 341 onto Five Points Road. He said that they put in all of the turning lanes on Hwy 341 and then they didn't change it there for them. He said that a young lady was killed on this road. He said that the speed limit on Hwy 341 was changed to 60 miles an hour and now everyone is driving 70 miles an hour when they turn on Five Points Road and now you are going to come up on 11 driveways. Mr. Cosby asked the board to slow down and think about this decision and look at what Lamar County is becoming. He said that his son lives in Henry County. He said that he moved a few miles from where he was because of the congestion in Henry County. Mr. Cosby stated that the other issue was brought up in the planning and zoning meeting where he was present. He said that the corner lot is the smallest lot and said that it needs to be combined. He said that someone on the Planning and Zoning Commission board asked Mr. Jones if someone wanted to buy more property, would he sell them a bigger lot. Mr. Cosby said that in the Planning and Zoning Commission meeting, Mr. Bowen stated that he would. Mr. Cosby stated that it is in the minutes from the meeting. Mr. Cosby stated that with the way the proposal is written up for the subdivision request, he can't do that but he is telling people that he will. Mr. Cosby stated that this is just to appease him because once it is locked in, he will not be able to do this because of how it is approved. Mr. Cosby said that Mr. Jones is talking out of both sides of his mouth. Mr. Cosby requested that the board listen to those that it is impacting in this area and the way that it will impact their way of life.

Harold Lane of 765 Five Points Road addressed the board and stated that his main concern was for his 18-year-old daughter who is driving down this road. Mr. Lane said that they need a turning lane. He said that he lives two miles from the proposed property and he has spoken with the Sheriff about this. He said that people are running up and down the road wide open. Mr. Lane said that there are a lot of pot holes on the road. He said that this will add more traffic and they already get a lot of traffic from Thomaston where they cut across Hwy 341. Mr. Lane said he agreed with Mr. Cosby that the lots should be bigger. He said that most of the houses are sitting on big lots and it needs to stay the same to keep it from getting so over crowded. Mr. Lane requested that the board sit on Five Points Road in the morning because he said that they would be amazed at the traffic that comes down the road. He said that there are logging trucks that are going up and down the road that are wide open. He said he tells his daughter to go to the next road to get across because it is dangerous. Mr. Lane stated that he thinks that the builder should be responsible for putting in a turn lane onto Five Points Road. Mr. Lane said that originally, they didn't put in a turn lane because of the creek and it would cost a lot more now to put in a turning lane. Mr. Lane said that if Mr. Jones is going to put in this many houses then he should foot the bill for the turning lane.

Robert Davis of 266 Grape Creek Road addressed the board. He said that there is a wetland that is on his property with gullies and streams. He said that he has a creek on his property and the wetlands feed this creek. He said that 100 birds could fly in at one particular time. He said it is like a preserve. Mr. Davis said that this creek runs across Grape Creek Road across to his neighbors down to a public fishing hole. He said that the creeks feed all of this and said that he is wondering if this subdivision is going to disrupt the wetlands. He said he doesn't know if this area is protected but he wasn't in favor of all of those houses in one area. Mr. Davis requested that Mr. Jones build on 5 to 6 acre lots. He said if they could guarantee the protection of the wetlands it would be okay but otherwise, he couldn't see it.

Melaine Hardwick of 703 Five Points Road said that she had just learned about the subdivision. She said that she was not opposed to development but she is opposed to development that is not done the right way. She said that she understands that there is going to be 11 driveways right where you turn off of Hwy 341. Ms. Hardwick said that this is not a safe environment. She said that if this is going to be a subdivision then it should only have one entrance. Ms. Hardwick said that Five Points Road is a cut through road for Pike County and it is heavily traveled. She said that the Sheriff does a good job of patrolling but people pass her on Five Points Road and they are not doing the speed limit. She said that people coming out of 11 driveways on Hwy 341 is not safe. She said that it is not safe and she suggest that the lot sizes be bigger. Ms. Hardwick said that this is farm land and she raises cattle. She said that there is a lot of wild life in the woods. Ms. Hardwick said that she is not opposed to new houses but suggested that there be one entrance into the subdivision with larger lots.

Bob McKee of 64 Five Points Road addressed the board. Mr. McKee said that he was new to Lamar County and said that he opposed the subdivision. He said that he fled Henry County. He said that he first moved to Henry County from Ohio in 1992. He said that Stockbridge and McDonough used to be nice rural communities and then he fled to Locust Grove before moving to Lamar County. He said that his fear is that Lamar County becomes Henry County somewhere down the line and he wants the board to keep that from happening. Mr. McKee said that Henry County has just exploded and said that he moved to Lamar County to get away from that and this was his only objection.

Bowen Jones of 204 Morgan Dairy Road addressed the board to clarify the shape of the parcel and where it is and said that Scanlon Engineering has determined that it is conducive to what has been proposed. He said that he studied the Ordinance within Lamar County and said that the actual requirement for this piece of property is 100 ft of frontage per lot and 1 acre which means if this property could have been 22 lots instead of just 11 lots. He said that if the general population feels that everything should be 5 acres lots then that is a long way from what is in the current Ordinance of what is required for this piece of property. He said that he has never known a County that didn't allow you to combine lots if you chose to do so. Mr. Jones said that the property does not come in contact with Hwy 341 and they are on the straight away of Five Points Road. He said that there are no site concerns for driveways. He said that they have completed a level one soil survey. He said that there is a creek across the five-acre lot and there is a wet weather ditch that comes across the property. Mr. Jones said that the level one survey is for study purposes and there is a level 3 survey that will be done to prove that it is a buildable lot. Mr. Jones said that 3.3 acres is a big piece of property. He said that his mother-in-law has 3.3 acres of land and it is a lot of grass to cut. Mr. Jones said that it is easy to throw around numbers but at this point they are 330 percent of what is required of the County on the acreage and they are 176 percent required on the road frontage.

Mr. Jones said that they had recently built some homes in Pike County and it is a mini farm type of atmosphere. He said that the large majority of what they build is custom homes but they also build spec homes as well. This particular subdivision will be a blend of that. Mr. Jones said that they have two people already interested in some of the lots to build on. He said that he is willing to commit to 1800 square foot homes or better. He said that he wants some stipulations on the property because if the economy stopped tomorrow, he doesn't want to be handcuffed into a bunch

of stuff that may or may not affect someone in 25 years. He said his intention is to individually grade lots. He said as far as soil, creek, habitat, or wildlife is concerned, they will get a permit from the State and secondary permits for each lot individually which will include erosion soil plans. He said tree buffers will also be between each lot. Mr. Jones said that this is in keeping with everything that he has done in Pike and Lamar County. Mr. Jones stated that he has also met with Southern Rivers. He said that lots 6 through 11 have great access points and the middle lots have a higher bank. Southern Rivers has agreed to re-set the telephone lines on the property lines at a deeper point so that they can actually cut the bank down and make those entrances smoother and more natural.

Ms. Hardwick inquired about acreage and septic tanks. Chairman Glass responded that with 2 acres of land you can provide your own water and your own septic tank. You can have a lot on 1 acre of land if you have either water or sewage provided. You only have to provide your own water or your sewage if you go down to 1 acre. If there is City/County water, you can have a septic tank on 1 acre.

Mr. Cosby said that his aunt had the waterline installed. He said he asked Mr. Jones, since he owns 30 plus acres on Morgan Dairy Road, how he would feel if someone built a subdivision across from him, but he never would answer him. Mr. Jones replied that he has 36 acres, which is a flag lot, and in the front of him, is 4 or 5 lots that are 1 to 1.5 acres. Mr. Cosby stated that Mr. Jones was referring to where Southern Rivers will lower the banks so they won't have to do a cut through. Mr. Cosby said that they will have to grade it back, to make it not such a hill, 200 feet from the road. He said that this is the only level spot on the land. Mr. Cosby said his grandfather terraced that property. Chairman Glass pointed out that this is an engineering concern. Mr. Jones said that Justin Eubanks with Southern Rivers has looked at this and said that you can get about a 12 percent grade and to maintain the ditch requirement, the actual starting point is the current tree line. Mr. Cosby said that the current tree line is about 50 feet off the road. Mr. Cosby said that this portion is not buildable because of the swamp and told Mr. Jones that this is the only reason Mr. Jones hadn't purchased the corner lot. Chairman Glass stated that this is not part of the re-zoning. Mr. Cosby said he was just making a statement. Mr. Jones stated that he doesn't know of any developer that has been required to put in a decel lane.

Mr. Lane said that there needs to be a decel lane because there is a curve right where the subdivision will start. Mr. Jones replied that the subdivision will be built where there is a dead straightaway.

Mr. Davis asked if his wetlands would be protected. Chairman Glass replied that they would be protected under the State law.

Adjournment

Commissioner Heiney made a motion to adjourn the Public Hearing at approximately 7:34 p.m. and Commissioner Thrash seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Charles Glass, Chairman

Ryran Traylor, Vice-Chairman

Bennie Horton, Commissioner

Robert Heiney, Commissioner

Nancy Thrash, Commissioner

Attest: _____ Carlette Davidson, County Clerk