

LAMAR COUNTY BOARD OF COMMISSIONERS
PUBLIC HEARING
August 17th, 2021
6:30 p.m.

I. Special Exception in Agriculture-Residential to operate a kennel/boarding facility (Amy Renfroe)

Planning and Community Development Director Buice stated that a Special Exception application had been received by Amy Renfroe to allow for commercial zoning to operate a kennel/boarding facility at 135 Ledbetter Road, tax map 063 parcel 044A, and the property is approximately 19.28 acres. Ms. Renfroe has offered some conditions on the application as follows:

- Small dogs under 25 pounds.
- Boarding only 10 to 15 small dogs per day
- Normal pickup is at the commercial location in downtown Barnesville but there maybe some pickup at 135 Ledbetter Road.

II. Special Exception in Agriculture: Concentrated Outdoor Commercial (Tax Map 032 028) (Randolf Vaughn)

Planning and Community Development Director Buice stated that Ole Rudy's Equine Training and Recreation Center, LLC (Randolf Vaughn, owner) has applied to operate an event facility located at 276 Old Alabama Road, Tax Map 32 Parcel 28. Mr. Vaughn has offered some conditions on the application as follows:

1. The following uses shall not be conducted on the Subject Property: ATV trails, motorized, and Shooting Ranges.
2. Any event conducted on the Subject Property shall comply with the provisions regulating noise in the Lamar County Code, Article IV Nuisances, Section 2-13-60(7).
3. Any event conducted on the Subject Property shall comply with the provisions which define a nuisance (in addition to subsection (7) regulating noise in the Lamar County Code, Article IV Nuisances, Section 2-13-60.
4. At any event conducted on the Subject Property at which the expected attendance shall exceed 75 attendees, traffic control and security shall be provided.
5. All events conducted on the Subject Property shall conclude at dusk.
6. No laser or spotlights of any kind will be allowed on the Subject Property during any event.

7. If lighting is required to close or conclude an event conducted on the subject property after dusk, it shall be provided by existing lights that are currently installed in the pavilions, barns, and other structures located thereon and security lighting that may be added on site. Temporary mobile lights may be used in parking areas, and to assist with entering and exiting the Subject Property only.
8. The service of alcoholic beverages at any event conducted on the Subject Property must comply with Lamar County Code, Section 2-3-21(1) and (2) Authorized Catered Functions.
9. All parking for an event shall be confined to the Subject Property; with no spillover parking allowed on any other parcel.
10. The number of persons attending any event on the Subject Property shall not exceed 1500.
11. Water trucks shall be available to suppress dust during any event conducted on the Subject Property that requires use of the dirt track.
12. Planted buffers.
13. The organizer of any event conducted on the Subject Property shall execute an agreement governing the conduct of the event on the subject property substantially similar to that attached hereto as Exhibit A (reserve right to develop separate agreement for smaller functions.)

Public Comments

Newton Galloway of Galloway & Lyndall, LLP Attorneys At Law addressed the board representing Randolph Vaughn/Old Rudy's Equine Training & Recreation Center, LLC. Mr. Galloway said that he had known Mr. Vaughn for years and worked with him when he worked with the Milner City Council. Mr. Vaughn is a good influence in and around the City of Milner and is dedicated to improving the City of Milner and Lamar County. Mr. Galloway said that he built the first new commercial building in the City of Milner.

Mr. Galloway presented a PowerPoint presentation to the board. Mr. Galloway stated that the Board of Commissioners made a decision to accept five acres that was deannexed from the City of Milner. The 21 acres consists of 16 acres plus the 5 acres. The Special Exception in Agriculture calls for Concentrated Outdoor Commercial property. Mr. Galloway presented a layout of the proposed facility. The facility includes equine boarding, equine training, and it also includes other facilities than can be used for small and large parties. Mr. Vaughn is in the process of building a pavilion which he has been working on this for a long time and has done this work largely by himself. Restrooms and pavilions that will be available for rent.

Mr. Galloway explained that Resolution 2021-06 was approved by the Board of the Commissioners on April 20th, 2021, to deannex certain property from the City of Milner. Ordinance 2021-03 was approved by the City Council of Milner to deannex certain property from the City of Milner.

Mr. Galloway presented a list of general definitions related to agriculture, agritourism, farm, farm animals and equine animals. He presented permitted uses and special exception uses. Mr. Galloway stated that Mr. Vaughn is allowed to have horses on his property, one (1) equine animal per acre and is allowed to make money from them. He can board, show, train, sale and race under the terms of the current Ordinance as a matter of right in Agriculture-Residential (A-R). Mr. Galloway said that like every other land use, his operation cannot be a nuisance. In A-R, a Special Exception use is allowable Concentrated Outdoor Commercial and this creates a line in the definition that says when you allow people to see them and pay a price to see something, that kicks you into the definition of concentrated outdoor commercial and it is a special exception. Mr. Galloway said that without the special exception, he can have horses on his property and he can race the horses all day long and as long as no one is paid to be a spectator to see it, he is not in violation of the Ordinance.

Mr. Galloway stated that other uses fall under the A-R Special Exception for Concentrated Outdoor Commercial as follows:

- Horse Race
- Horse Show
- Family Reunion
- Birthday Party
- Concert
- Sunday School Class Event

Mr. Galloway presented the factors for approval of the special exception and said that common sense has to be applied. Mr. Vaughn's property joins a neighborhood in a subdivision. It is the Board of Commissioner's authority to impose conditions of his use. They have the ability to take and impose reasonable restrictions and conditions that are applicable and appropriate. The Board of Appeals conducted another meeting to set the conditions. The following conditions were presented without dispute from the Board of Appeals, Planning Commission, Planning and Community Development Director Buice, Galloway & Lyndall, LLP, and Mr. Vaughn.

1. The following uses shall not be conducted on the Subject Property: ATV trails, Motorized, and Shooting Ranges.
2. Any event conducted on the Subject Property shall comply with the provisions regulating noise in the Lamar County Code, Article IV Nuisances, Section 2-13-60(7).

3. Any event conducted on the Subject Property shall comply with the provisions which define a nuisance (in addition to subsection (7) regulating noise in the Lamar County Code, Article IV Nuisances, Section 2-13-607.
4. Any event conducted on the Subject Property shall comply with the provisions which define a nuisance (in addition to subsection (7) (regulating noise) in the Lamar County Code, Article IV Nuisances, Section 2-13-60.
5. All events conducted on the Subject Property shall conclude at dusk.
6. No laser or spotlights of any kind will be allowed on the Subject Property during any event.
7. If lighting is required to close or conclude an event conducted on the Subject Property after dusk, it shall be provided by existing lights that are currently installed in the pavilions, barns, and other structures located thereon and security lighting that may be added on site. Temporary mobile lights may be used in parking areas, and to assist with entering and exiting the Subject Property only.
8. The service of alcoholic beverages at any event conducted on the Subject Property must comply with Lamar County Code, Section 2-3-21(1) and (2) Authorized Catered Functions.
9. Water trucks shall be available to suppress dust during any event conducted on the Subject Property that requires use of the dirt track.
12. Planted buffers.
13. The organizer of any event conducted on the subject property shall execute an agreement governing the conduct of the event on the subject property substantially similar to that attached hereto as Exhibit A (reserve right to develop separate agreement for smaller functions.)
14. No camping or overnight parking.
15. At any event conducted on the Subject Property at which the expected attendance shall exceed 75 attendees, traffic control and security shall be provided. One (1) traffic control and security officer will be added per 100 attendees exceeding 75-person threshold.

The following condition was recommended by Planning and Community Development Director Buice and they have since agreed to these conditions.

1. The event itself and parking for each event shall be confined to the Subject Property; with no spillover parking allowed on any other parcel;

The following 2 conditions were not agreed upon but Mr. Galloway said that they were within the Board of Commissioners discretion.

1. The number of person attending any event on the Subject Property shall not exceed 1500.
2. Planted buffers.

Mr. Galloway said that if you look at other event centers approved by the current Board of Commissioners, Mr. Vaughn has gone beyond those conditions. One of these conditions is that you allow the facilities to operate until 9:00 p.m. and Mr. Vaughn is willing to shut down at dusk. Mr. Galloway explained to the Board of Commissioners that Mr. Vaughn already has buffered areas and appropriate fencing. Complaints were made from the Board of Appeals that there were gaps in the fences. Mr. Galloway presented a slide showing that Mr. Vaughn had constructed his fence 10 to 15 ft. from the property line. Pictures of other fences installed were shown on the property that had no gaps and all of the properties are protected by wired fences or protective fencing. Mr. Galloway stated that based on information in Qpublic they calculated distances that are closest to the subdivision houses. The distance between his fence and the tree lines on the subdivision lots is roughly 60 ft and the distance between the tree line and the property line is roughly 40 ft.

Mr. Galloway said that Mr. Vaughn needs to protect himself from other liabilities as follows and he is imposing this list as a condition of the Special Exception.

- All dogs must be on a leash
- No alcohol, except as provided in event agreement.
- No cannabis consumption.
- No littering.
- No discharge of weapons.
- No Parking, except in designated areas.
- No camping.
- No fires.
- No destruction of vegetation.
- No smoking.

Mr. Galloway said that this is not just about having a horse facility. Mr. Vaughn has the ability to do most of things that he wants to do with horses but when you have people come in as spectators that is where the Special Exception comes in to play. There has to be a balance between the neighborhood and Mr. Vaughn's right to do this. Mr. Galloway said that Mr. Vaughn has put great effort into the development of these conditions and an agreement and what he has proposed exceeds what this board has approved with any other facility comparable to this. Mr. Galloway said that if the Board of Commissioners had imposed these types of conditions on the current horse facility, then they would have a mechanism to enforce the rules and regulations to eliminate the neighbors complaints.

Public Comments

Jennifer Eady of 104 Rosewood Court in the Field Crest subdivision addressed the board. Ms. Eady said that she bought her home in 2019 because it was a quiet and safe living environment for her family. She said that in 2019 Mr. Vaughn approached her ring camera and announced that his events were going to be for children parties, weddings, petting zoos and stated that there would be no horse racing. Ms. Eady said that she was concerned with the amount of people, up to 1500 people, that would be attending the events. She was also concerned with the road issues, such as wash outs, no access for emergency vehicles, and the amount of cars that would be coming in and out of the subdivision. Ms. Eady said that having 1500 people coming onto 21 acres is 71 people per acre. Having a horse racing facility would jeopardize the safety of her family and is something that Mr. Vaughn has not been honest with the community about. Ms. Eady was concerned with the security of his facility and asked who would protect them from the alcohol usage. Ms. Eady said that she was concerned about the need for lights if the events would end at dusk, and spectators parking in the neighborhood due to no available parking at the event site. Ms. Eady stated that they chose her home, upgraded the home and this was where she planned to retire. She said that now they will be held hostage due to traffic, pollution and rodent problems. Ms. Eady said that Sunday is a sacred day for her to worship God. She said that this is her day and she pays taxes just like Mr. Vaughn. Ms. Eady said that her property value will be impacted and said that no one would want to buy a home that she chooses to vacate if this event center is approved. Ms. Eady said that her home was meant to be a family environment and the roads are not fit to have this type of facility. Emergency vehicles would not be able to come to her aid if needed.

Jennifer Wilson of 103 Gardenia Court addressed the board. Ms. Wilson said that she agrees with the condition of the roads and if you drive down Old Alabama Road it is patch after patch after patch that has happened just from their residential traffic. Ms. Wilson said that the roads will not support the weight of the horse trailers. She said that another issue is the trash that lots of people will bring to the neighborhood during the events. Ms. Wilson said that she was concerned about her pets and the trash that would be in her yard when she walked them and the concern of Veterinarian bills if they do get into something that makes them sick. Ms. Wilson said that she is concerned about having no alcohol because it is impossible for someone not to bring in alcohol; you can't smell everyone's cup. She spoke about the catering service and the option for them to serve alcohol. Ms. Wilson said that they could opt out of this and offer someone on the side the job to serve the alcohol. If you have 200 people at an event, you cannot keep up with what everyone is drinking. She said that then you have the concern of drunk driving and in 2 to 3 years all of her kids will be driving and it is not of matter of if but a matter of when it will happen. Ms. Wilson said that once a person leaves that property it is no longer Mr. Vaughn's problem and he is no longer liable. She said that it becomes a community problem then and not Mr. Vaughn's problem. Ms. Wilson said that they live in a quiet and peaceful neighborhood and noise travels and there is no way that it will not be a nuisance. She said that she is concerned with the value of her house and if she had bought her house 2 years ago, she would have never moved there. Ms. Wilson said that

the houses that have not sold are listed at \$200,000.00 and there is no way she would pay that much to live next to a horse track.

Robert Brantley of 216 Liberty Hill Road addressed the board. Mr. Brantley said that he lives on the Northside of Mr. Vaughn's property and he is concerned that if something were to happen on Liberty Hill Road that Old Alabama Road would be used as a second egress. He said that he is concerned with the drinking water because of the equestrian urine that could flow into the drinking water. Mr. Brantley is concerned about the special events that are going to be held there and one of them is drone flying. He said that some of these drones have as many as 16 engines and they make a lot of noise. Mr. Brantley said that condition to limit the event to 75 person but will allow for overflow of parking that is going somewhere else. He said that Mr. Vaughn has a money-making plan and a great plan but if you are ending events at dusk that have fireworks, they will not have the same effect as those fireworks shot off after dark. Mr. Brantley said that all dogs are supposed to be on a leash and said that he wants that horse on a leash unless they can play without someone getting runover. He said that people driving after consuming alcohol is a problem that they have on Liberty Hill Road and said that this is probably a concern on every road in Lamar County. Mr. Brantley said that they have to be concerned about their mailboxes and their fences. He said that he wished Mr. Vaughn well.

Mr. Devin Bentley of 139 Belle Flower Way addressed the board. He stated that the whole back yard of Mr. Vaughn's property butts up to his property where his barn is located. He said they stated that the privacy fence went the whole length down the edge of the property but it does not. Mr. Bentley said that there is a hog wire fence but when the wind blows the trash is going to come through the fence onto his property and he is going to have to be the one to pick it up. He said that his house sits on a hill and that buffer doesn't block anything. Mr. Bentley said that it takes several years for trees to grow. He said that when he walks out of his back door or sits on his back porch, he will not have any privacy. Mr. Bentley said that if there is an event going on he has nowhere to go to relax when he gets off work. Mr. Bentley said that there are several acres and a pond that separates his house from where the event area is located and you are making a profit from the events. He said that he is in the midst of the sound and he will hear every bit of it. Mr. Bentley said that he bought his home in 2018 and there was nothing there. There was a barn but nothing was inside of it and it was peaceful. He said that he started clearing trees so that his kids could have a back yard to play in. Mr. Bentley said that he does not have a fenced in yard because that cost more money than he can afford. He said that whose to say what kind of crowd is going to come to these events and now he has to worry about the safety of his children. Mr. Bentley said that before they were safe and now, he cannot let them walk around in the backyard because he cannot say that someone is not going to hop over the fence and do something to his kids. He said that this is a risk that he does not want to take. Mr. Bentley said that this is safe neighborhood and with events coming in you do not know what can happen and his kids come first.

Mark Rivard of 471 Van Buren Road addressed the board. He said that he is appalled about the horse track in his neighborhood. He said that when he bought his property, he thought he was moving to a nice quiet town where he could retire, work his land and do

what he wanted. He said that he thought that it was a horse farm, then a carnival and now it is a horse track. Mr. Rivard said that there are men dressed in black carrying AR-15's. He said that if you stop by the store on I-75 you can see them purchase liquor, beer and ice, and then load it up. He said that he cannot go outside of his house on Sunday morning and sit because all he hears is music. Mr. Rivard said that he has a friend 2 miles away that also hears it. Mr. Rivard said that it's a racetrack and that is all that it is and they got one over on you the last time when they said they were going to call it a horse farm. He said that you were supposed to be able to buy honey and fruits but they are not there but what is there is the illegal stuff and that is what is going to happen with this facility. He said that the board does nothing about it so that they can walk away with their bag of cash; have fun with it.

Richard Stephenson of 184 Jones Road addressed the board. He said that he did not know that this was going on tonight but said that everyone that had complained about this facility bought there house in a subdivision next to the woods. Mr. Stephenson said that before he bought his house, he looked at what was around it because that subdivision was at one time a big parcel of woods. He said that this County is growing and it just did not start today.

Mr. Galloway addressed the board. He said that the security is defined in the agreement. The lights are limited to security and temporary lights are to help people get in and out. He said that Mr. Vaughn is no responsible for the entrance and exit of emergency vehicles. Mr. Galloway said that regarding alcohol the Ordinance provides for catering and someone that is licensed and is contracted by that caterer. He said that the person at that facility has to use them. He said that horses poop and urinate. He said that this is agricultural land and he can put cows, horses and chicken houses on it. Mr. Galloway said he thought that they had put in a provision about having no drones.

Mr. Bentley said that Mr. Vaughn came to all of their doors and said that there was not going to be any horse racing. He said that this is a property owned by Mr. Vaughn so why does he have to hire representatives to speak for him. Mr. Bentley said that he is lying to everyone and asked why he couldn't speak to the Board of Commissioners on his own behalf if he thinks that everything is great.

Rezoning from Agricultural to Residential 1: minor subdivision Ramah Church Road (Charles Thompson Jr and Clint and Thomas Ward)

Planning and Community Development Director Buice said that this application is for a rezoning from Agricultural to Residential and for a minor subdivision on Ramah Church Road. The application is from Charles Thompson Jr., and Clint and Thomas Ward. It is for 13 acres located on Ramah Church Road and they are asking to rezone it to R1 and break it into 6 lots; each lot is 2 acres with one 3-acre lot. They are asking to have the R1 zoning with the condition that it be stick built only and a 2000 square ft. minimum.

Planning and Community Development Director Buice said that the minimum road frontage for R1 is 175 ft. and all of these lots exceed that. The setback is 125 ft. The

intent is to sale these as lots and not to build houses. Each parcel owner will design and build their own house.

Ashley Johnson of 273 Reeves Road addressed the board. Ms. Reeves said that she moved to the country to be in the country away from people. She said that she lives on 17 acres. Ms. Reeves said that she understood that the people that are subdividing the property are also clearing 200 acres across the road and if you approve these 6 lots then what is going to happen to the other 200 acres. Ms. Reeves said that she would not be opposed to two 6 acre lots.

Travis Johnson of 273 Reeves Road addressed the board. Mr. Reeves said that he dislikes people and he moved to the country to be away from people. He said that people in subdivisions have problems with people and he would rather not see a subdivision built.

Dennis Rich of 293 Reeves Road addressed the board. Mr. Rich said that he has lived at this location since January of 1999. He is opposed to the change from Agricultural to Residential-1 (R1). Mr. Rich said that he and his wife lived in a subdivision in Forrest Park for 26 years. He said that it was their dream in 1995 to purchase land and move out of the city an into the rural country life where they built their home in the woods. Mr. Rich said that they moved away from a neighborhood that had squabbles with neighbors, theft to property, traffic, cars driving too fast and he even had a jeep stolen from his yard. He said that the lifestyle that they have enjoyed over the last 23 years includes owning horses, cows, goats, pigs, and raising poultry of all kinds. Mr. Rich said that he is the secretary and editor of the Game Bird Readers association. He enjoys planting a garden, has a large crop of blueberries and enjoys deer hunting. Mr. Rich said that he is concerned about children wondering in the woods without his knowledge and other deer hunters on the surrounding land near the proposed subdivision. He said that for the last 23 years he has lived in an agricultural environment without intrusion and his lifestyle and subdivision dwellers do not mix and his first instinct is that they would be nothing but trouble. Mr. Rich quoted something he recently read, "You may be a farmer or a rancher if your idea of a neighborhood watch is someone calling to let you know your cows are out". Mr. Rich said that there is suitable property in Lamar County without encroaching on land that has been agricultural for hundreds of years. He said that a grave marker on his property reads, "Jim Griffin, died July 29th, 1908." Mr. Rich said that the applicants live on land similar to his but they are here to make a buck and then they will be gone leaving them with the remains of the consequences. He asked about the 185 acres across the road on Ramah Church Road and said that instead of a minor subdivision it will be a major subdivision.

Mr. Rich said that the 6 lots pose an inherent danger to the life and property to Lamar County residents including those that will reside at these 6 locations. Mr. Rich said that Reeves Road, a dirt road, is about a mile long and runs from Bush Road to Ramah Church Road where the proposed property is located. He said that when they moved there the County School bus picked up his grandchildren. Mr. Rich said that the hill at the end of Reeves Road, on the Ramah Church Roadside of the road, was too steep and was a danger in slick, muddy conditions. He said that the County came in and drastically

lowered the road and there are massive boulders that were dug out to lower the road. He said that location of the intersection of Ramah Church Road and Reeves Road is located on the crest of the hill on Ramah Church Road. He said that when you come out at the end of Reeves Road, you can see clearly in both directions but if you are coming from either direction you cannot see over the crest of that hill to know what is on the other side. Mr. Rich said that when they come from the direction of Brent Road and turn on Reeves Road, it appears that nothing is coming but there is a blind spot just over the crest. He said that these 6 driveways could be the cause of wrecks and people getting hurt or killed and especially with school busses stopping at these driveways. Mr. Rich said that the mail carrier will also be in danger of cars flying over the crest. Mr. Rich said that all of these dangers can be avoided by denying the request. He said that a similar type of blind spot is at the intersection of Hwy 41 and Fredonia Church Road close to C&B convenience store where there have been many accidents.

Mr. Rich said that the 13.67 acres are similar in size to those that will offered for sale in the 185 acres across from Ramah Church Road. He said that the entrance into the 185 acres was established by the timber company that previously owned the land. Mr. Rich said that none of the small tract sales offer any interior roads so they do not fit the classic definition of a subdivision. He said that they carve out the property for sale utilizing the existing road frontage to the property. Mr. Rich said that they would not even be having this Public Hearing if the applicant was not trying to maximize their return on investment by carving up the 13.67 acres into lot sizes that do not comply with agriculturally zoned land. He said that they are just trying to get the most bang for their buck but when it comes to siding with Public Safety and someone trying to make a buck, he hopes that decision is obvious.

Kevin Rich of 293 Reeves Road addressed the board and said that he was in the process of building a home next door on 7 acres of land. Mr. Reeves said that his land is directly across the road from this proposed minor subdivision and directly across Ramah Church Road. He said that his family has lived in Lamar County since 1999 and he choose to purchase land that is agriculture and not to come in and make changes to those Lamar Countians that already live here but to become a part of their community. Mr. Rich said that the Board of Commissioners want you to cast a vote that will forever change the lifestyle of Lamar County and the citizens of Lamar County and not for the betterment of Lamar County but for their profit. He said that this is why there are no citizens here in favor of this zoning change. Mr. Rich said that the applicants bought land that was zoned agriculture so let them sell those tracks of land under the current agricultural zoning because changing the zoning to R1 allows them to put a subdivision into a farming and conservation community. He said that this is two very different styles of life. Mr. Rich said that Lamar County is special because it is not like the other counties where it is sold out to mass development. Mr. Rich said that Lamar County is growing but the Board of Commissioners can protect and preserve Lamar County in cases such as this. Mr. Rich requested that the Board of Commissioners sell their homes under the current agricultural zoning laws. He said that Lamar County will still gain tax revenue from the sale of the new homes and this natural section of Lamar County will be preserved. Mr. Rich said that one of the Board of Commissioners lives on land less than 2 acres near Ramah

Church Road and asked what his response would be if someone bought land adjacent to his home and they decided to carve it up, and not for the betterment of Lamar County, but for profit.

Mr. Rich said that Redbone Nursery is looking for a foot hole and this will give them a foot hole to forever change the landscape of Lamar County. He said that none of the applicants reside in a subdivision on 2 acre lots because that is not where they would want to live. Mr. Rich said that current zoning regulations serves to reduce the occurrence of hazardous traffic, general congestion, and secure safety from fire, panic and other dangers and prevents the overcrowding of population. He said that the applicants are asking the board to approve 6 houses packed into 13 acres of land in an area of Lamar County that has no public water, sewage or fire hydrants. Mr. Rich asked if this zoning change was the best decision for the Lamar County citizens. He said that if they approve this application how many houses will they pack into the 172 acres. He said that across the road he will be surrounded because his is on the corner of Reeves and Ramah Church Road.

Mr. Rich said that he is a Law Enforcement Officer and he does not raise crops or animals but he does have a child who is autistic. He said that his child thrives in the Country in the quite, away from people. Mr. Rich said that he does not do well in social situations. He said that they moved from a subdivision in Pike County to the country so that he could have privacy and freedom. He said that his child thrives in a peaceful agricultural setting away from noise and people. Mr. Rich asked if their profit was a good enough reason to take away the lively hood of those that live in an agricultural setting. Mr. Rich said that he hoped that the subdivision would have a covenant because he just left a subdivision where there were supposed to be noise and square foot limitations. He said that a covenant is only as good as the enforcement that goes into them. He said that the Lamar County Sheriff's Office has a better things to do than answer complaints in this proposed subdivision. Mr. Rich asked the board to let them build the homes under the current agricultural zoning and not let the applicant come in and change the lifestyle of everyone that is there because that is who the Board of Commissioners are there to protect.

Mr. Rich said that approving the change from Agricultural to Residential-1 will propose burdens on exiting utilities, traffic, congestion, noise and freedoms of the current Lamar County residents. He said that rezoning this land and their sanctuary will result in two different lifestyles causing future problems. Mr. Rich said that this proposal is not suitable for the nearby properties because people bought farms. He said that the subdivision will result in the reduction of the value of their property values because no one is looking to purchase farmland in the middle of a subdivision. Mr. Rich said that it will also result in the loss of natural beauty and preservation. He said it will take away his son's chance of normalcy. Mr. Rich said his plea to the Board of Commissioners was in defense of the families for their livelihood and their way of life that will forever change that section of Lamar County. Mr. Rich asked the Board of Commissioners to vote no.

Shanna Malcom of 293 Reeves Road addressed the board. Ms. Malcom said that she is the significant other of Mr. Kevin Rich and reiterated what both he and Mr. Dennis Rich said about the zoning. She said that she moved here from Fulton County a little over a year ago and said that she knows all about subdivisions and traffic. Ms. Malcom said that she has been a schoolteacher for 30 years and is completing her 30th year in the Griffin Spalding County School System. She said that she agreed with everything that Mr. Rich said about autism. Ms. Malcom said that they choose this property that is agriculturally zoned for retirement and her biggest problem is that they bought this property knowing it was agriculturally zoned.

Dana Platt of 285 Reeves Road addressed the board. Ms. Platt said that she had lived there for 20 years and said that they raise sheep, goats, guinea pigs and other farm animals. Mrs. Platt said that people in subdivisions do not like the extra noises or smells that come from farms and farm animals. She said that it is two different types of lifestyles. Mrs. Platt said that she purchased the animals for their grandchildren and a subdivision would not be compatible with their way of life. She said that building the houses without changing the zoning from agriculture would be fine otherwise it is not in keeping with their lifestyle.

Chuck Thompson of 8878 Estes Road in Monroe County addressed the board. Mr. Thompson said that he was born and raised in Lamar County and his brother lives on Ramah Church Road. He said that they bought the property and it is narrow and it not very deep but it is long and they are square tracts of property. Mr. Thompson said that they met with Planning and Community Development Director Buice, and the surveyor to determine their best options. He said that they are not asking for any changes in the current R-1 zoning. Mr. Thompson said that they did not clear cut the land because they were concerned about the beautification of the property. He said that they want to market the minor subdivision to an upper scale, high end owner, who will build nice stick-built homes. Mr. Thompson said that they are trying to do something nice which is the best-case scenario for this tract of land and said that it does conform to the area of land that is out there. He said that it is low impact with 6 estate lots across the road. Mr. Thompson said that the large acreage across the road on Ramah Church is not conducive for a major subdivision. He said that there are creeks and other things on the property that would prevent that from happening. He said that they will be looking do something with either 8 to 9 acres or up to 50 acres in the future. Mr. Thompson said that their application does conform to the area and said that if you looked at Qpublic you could see that within 1 mile of this tract of land, on both sides of Ramah Church Road, there are 11 parcels of land that have dividers, there are 8 parcels with less than 3 acres, and there are 5 parcels that are 2 acres are less.

Mr. Thompson said that for the people that are against the application, he wishes that they did not feel the way they did but he appreciates their opinion. He said that they want to do something nice in that area and their property does not touch their property lines and at one point their land was subdivided so that they could live on it. Mr. Thompson said that there is a need in Lamar County for housing. Mr. Thompson said that he left Lamar County for a better opportunity but said he would have loved to have stayed here.

He said that there are people that need places to live and they have dreams just like the people that have spoken against this tonight. Mr. Thompson said that they are not the bad guys and they did not ask for a lot of advances. He said that all of their lots are over 2 acres, they all are under the 5-acre lots sizes, and they all fall between 2.1 to 3 acres.

Mark Rivard of 471 Van Buren Road addressed the board. Mr. Rivard said that one of the Board of Commissioners lives in this area and said that he will stand by their side. He said that they moved there because they found a quaint town. Mr. Rivard said that his question to the Board of Commissioners is have they knocked on peoples doors and asked them if they wanted to grow? Mr. Rivard said that they do not want all this stuff and they do not want a circus, they just want to go outside and watch the stars and hear nothing but crickets. Mr. Rivard said that this is why they put the Board of Commissioners there, to protect them. He said that if finds out if this agricultural rezoning has anything to do with AFFH, Affirmatively Furthering Fair Housing, he will be back.

Eric Platt of 285 Reeves Road addressed the board. Mr. Platt said that he was in agreement with everything that everyone said. He said that for the future of Lamar County, when you start building 2 acre lots on property that is zoned agricultural, he would like to say that he likes being alone where no one bothers him. He said that they do make noise, they run their tractors, shoot their guns, ride 4-wheelers and they have animals. Mr. Platt asked how long it would be before they have the same complaints as the people in the subdivision that do not want a horse track in their backyard. Mr. Platt said he would like to keep Lamar County agricultural.

Clint Ward of 9432 Estes Road, Monroe County said that he respected everyone's opinion. Mr. Ward said that he needed to clarify, to everyone, that they are not building a subdivision with curb and gutters or roads. He said that they are asking to zone that piece of property into 2 acre lots. Mr. Ward said that everyone would be upset if they were asking for them to be ½ acre lots where a developer out of Henry County could put more houses on the property. Mr. Ward said that they are asking for 2 acre lots. He said that they exceed the minimum road frontage already. Mr. Ward said that he understands their thoughts but they are not asking for anything out of the ordinary but they do want to give people in Lamar County the same dream that they had and said that everything that they have they want to give this to someone else too. He said that he understands the dangers of the school buses but this is with every road in Lamar County and there is always going to be that case. Mr. Ward said that there are 170 acres across the street and they are keeping that agricultural and there are no plans to build a subdivision.

Jennifer Eady of 104 Rosewood Court in the Field Crest subdivision addressed the board about Mr. Vaughn's application. She said that Mr. Galloway stated that the emergency situations are not their problem. Ms. Eady said that they do not care about anyone else but themselves. She said that it needs to be a concern and his problem because there is only one way onto his property. Ms. Eady said that if there are 1500 people at an event how is he going to address traffic when they are letting out of these events. Mrs. Eady said that she finds him very self-centered.

Shanna Malcom of 293 Reeves Road addressed the board. Ms. Malcom said that if it is not about profit then why did he not choose another part of Lamar County to beautify and offer upscale neighborhoods and houses. Ms. Malcom asked why he choose to upset zoning laws that are already in place when there are lots of other properties in Lamar County.

Adjournment

Commissioner Heiney made a motion to adjourn the Public Hearing at approximately 8:11 p.m. and Vice-Chairman Horton seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Charles Glass, Chairman

Bennie Horton, Vice-Chairman

Robert Heiney, Commissioner

Ryran Traylor, Commissioner

Nancy Thrash, Commissioner

Attest: _____
Carlette Davidson, County Clerk