

LAMAR COUNTY BOARD OF COMMISSIONERS
PUBLIC HEARING
September 19th, 2023
6:30 p.m.

I. Call to Order

Chairman Traylor called the meeting to order. Present for the meeting were Chairman Traylor, Vice-Chair Thrash, Commissioner Fletcher, Commissioner Lovett, Commissioner Gilles, County Administrator Townsend, County Clerk Davidson, and County Attorney Mayfield. The meeting was available via Zoom.

II. Rezoning from Agricultural to Residential 2; minor subdivision with variance request for 10 lots; Tax Map 007 Parcel 006.

Planning and Community Development Director Buice addressed the board. The applicant Kyle Johnson of Johnson Brothers Construction has applied for a minor subdivision. This is a 28 acre tract located on both sides of McLean Road and is found on Tax Map 007 Parcel 006. Mr. Johnson is asking for ten lots but they found that the five acre flag lot is actually a stand-alone grandfathered in lot. Technically the request is for 9 lots, 4 on the southside and 5 on the northside of McLean Road. The Planning and Commission board met on September 7th, 2023 and heard about this application. A motion was made to approve the application but died for lack of a second. There is no recommendation from the planning commission for the Board of Commissioners.

III. Public Comments

Kyle Johnson addressed the board. He said that in preparation for this zoning he looked at the zoning of the parcels in the surrounding area. The zoning ranged from R4 to Light Manufacturing to Commercial. His request is for R2 zoning which allows for 2 acre zoning. He proposed protective covenants so that the houses are nice. He increased the setbacks and the buffers so that neighbors would have privacy. He said that with the growth in Lamar County he looks at the proximity to major highways. He said that he is 8 tenths of a mile from the highway. He is proposing to not do any additional clearing so that it can stay dense rural. He said that there are current lots that are West to his property that are currently land locked and he is proposing to give legal easement to the property. There are a couple of issues with the property and one of them is a private cemetery. The cemetery has its own parcel of land and it does have a wooded buffer. There are concerns about the flood plains. He said that when the final survey is done for the final plat approval, they will look at the elevation that is given for the flood plain and they will make a determination about those lots. There has been soil studies and all the lots are suitable for septic.

Commissioner Gilles said that when she walked the property, she notice two large culverts that run underneath that road which looks like a stream or some type of running water. He said that the proposed driveway for lot ten would be to the west and would cut through the property. That portion of the property would remain wooded. He said this would be just

like any other piece of property that has a creek running thorough it. This is the same for lot six which clips the southwest corner of the lot but the driveway would be to the east of the creek. Mr. Johnson said he saw no concern with this. Vice-Chairman Thrash inquired about the water source that feeds that creek. Mr. Johnson said he did not know. Commissioner Gilles was concerned with the pond that was across the street and tract 2. She said that the creek is directly feeding that pond. Mr. Johnson said the driveway on tract three is to the south of the culvert and tract 2 is to the north. Chairman Traylor asked if tract two would have a shared driveway. Mr. Johnson said that combined curb cuts is not ideal but he knows that this is an area of concern. He said if this was a roadblock, he would be open to this but having combined curb cuts is not set in stone.

Commissioner Lovett said the majority of the calls he had received were concerning the cemetery. Mr. Johnson stated that there is already natural wooded privacy for the cemetery. They used aerials to show the approximate location of the property lines and everything to the north of the property is solid woods and on the southside of the property there is a natural barrier. From the property line to the open area of the cemetery on the west side there is roughly 65 ft. of timber that will not be disturbed. It appears that on the southside property line it is open.

Marshal Woodall of 740 McLean Road Milner Georgia addressed the board. He said that he has been living there for 23 years and knows that growth is here. They need to plan wisely. The proposal is not consistent with the rural area and all of the adjoining properties with the exception of one are eight acre tracts. Mr. Johnson is proposing ten, two plus acre tracts or nine, because of the grandfathered lot, but that grandfathered lot is an inclusive parcel so it is included and is still a part of this rezoning. He said that current Agricultural zoning requires 350 feet of road footage. McLean Road is a rural road and allows for five acre tracts. He said this area of the land has challenges and over half of the property is in a FEMA flood zone according to maps from the 1960's. He has a dixie propane pipeline that goes through the property, a short curve, a private cemetery and two land locked tracts. He said one of the lots only has 62 ft. of road frontage; it is a flag lot and current zoning requires ten acres of land for a flag lot. Current R2 zoning allows for 150 ft. of road frontage and another developer could put houses on McClean Road 150 ft a part. McClean Road is not medium density and not consistent with the area. The zoning cannot be changed for every minor subdivision and takes away the green space in the rural areas. There would be 25 to 30 cars entering and exiting that short curve every day on McClean Road if this proposal is approved. With the cost of living, there are multiple families and there are more than two cars per household. Mr. Woodall stated that McClean Road is a rural road.

Gary Smith of 290 McClean Road addressed the board. He agreed with everything that Mr. Woodall said and he is opposed to this proposal. He said that there is a sharp curve and lots of fast traffic. With all of the driveways for the proposed homes it could be dangerous.

Wayne Smith of 372 McClean Road addressed the board. He is opposed to this Minor Subdivision. He said that safety is big concern. There is a lot of hunting land. Mr. Smith said that he owns 50 acres of land that they hunt on. He is concerned about people wandering off their land and is concerned about the teenagers. He is for the five acre tracts

but not the two acre tracts. He asked that they make good, wise decisions before they give Mr. Johnson a license to start building.

Commissioner Lovett said he had spoken to Mr. Wayne Smith about the building of nice houses on two acre tracts. He said once it goes to the five acres it is the Wild West and asked if he was willing to take that chance. Mr. Smith said he was willing to take this chance

Madison Gaskin of 117 Liberty Hill Street Milner Georgia addressed the board. Mrs. Gaskin said that her family owns the two tracts that are land locked next to Mr. Johnson and they are appreciative that he would give them access but their biggest concern is the private cemetery that her family owns. Her husband was recently buried in that cemetery and she goes there with her two children for peace. Her biggest issue is with tracts three and four with houses on them. She said she goes there every day or at least every other day. She does not want to go there with her kids and have to look at people's backyards. It is something that her son is upset about. He has hunted their land that is land locked with her husband for years. He walks the property and puts out corn. Mrs. Gaskin said the cemetery is what she is most concerned with. She picks up trash every week and if you put houses there it will be more animals and trash and it no longer be peaceful for herself and her children. Along with what everyone else had previously stated, she is opposed to this proposal.

Emmitt Jefferson of 561 Etheridge Mill Road addressed the board. Mr. Jefferson said that he is opposed to the building. He runs the road four times a week and traffic is bad. The curve is bad and you cannot see cars. Mr. Jefferson agreed with everything that everyone had said and he is opposed to this proposal.

IV. Adjournment

Commissioner Gilles made a motion to adjourn the Public Hearing at approximately 6:27 Vice-Chair Thrash the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Ryran Traylor, Chairman

Nancy Thrash, Vice-Chair

Jarrod Fletcher, Commissioner

Jason Lovett, Commissioner

Ashley Gilles, Commissioner

Attest: _____ Carlette Davidson, County Clerk