



BANKS COUNTY PLANNING COMMISSION MEETING

Courthouse Annex Boardroom | 150 Hudson Ridge | Homer, GA 30547

Tuesday, February 01, 2022 at 6:30 PM

MINUTES

1. CALL TO ORDER

Chairman Mathis calls the meeting to order.

PRESENT

Chairman Brian Mathis

Vice-Chairman Taylor Griffith

Mr. Jay O'Kelley

Mr. Scott Wheatley

Mr. Sam Moon

2. APPROVAL OF MINUTES

- a. Minutes from January 4, 2022

Motion to approve made by Vice-Chairman Griffith, Seconded by Mr. Moon.

Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon

Vote 5:0 and the motion passes

3. APPLICATIONS FOR CONDITIONAL USE

- a. CU-22-01 — Caleb Helton, Helton Investment LLC — An application has been submitted for the conditional use of the property identified as parcel B26 094 located at 270 Mt Sinai Rd. for the manufacture of firearms and ammunition (Type 07 FFL.)

- Mr. Helton would like to be granted a conditional use to operate a home business consisting of reloading ammunition and small scale gunsmithing.
- No opposition is present.

Motion to approve made by Chairman Mathis, Seconded by Mr. Wheatley.

Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon

Vote 5:0 and the motion passes

4. PREVIOUS BUSINESS

- a. **TABLED:** Z-22-01 — Darshaan Holding, LLC — An application has been submitted to rezone the property identified as parcel B51 025 Tract 1A, a 7.27-acre lot at Hwy 441 and McCoy Bridge Rd., from ARR (Agricultural, Rural, Residential) to C2 (Commercial) to be used for a convenience store/gas station, retail space, and self-storage facility.

Motion to open for discussion/remove from table made by Mr. Moon, Seconded by Mr. Wheatley.

Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon

Vote 5:0 and the motion passes

- Mr. James Irvin reintroduces the application with a brief summary and explains the unofficial traffic study provided. He doesn't believe that the influx of traffic will be enough to make an impact on McCoy Bridge Rd.
- Mr. James Otis Rylee, local real estate agent, speaks in favor stating that the proposed use is a great scenario for that location.
- Chairman Mathis invites opposition.
- Dr. Robert Marshburn expresses concern that the DOT will not approve the proposed entrance off of Hwy 441, leaving the entrances on McCoy Bridge Rd to carry the full traffic load. He doesn't believe there to be enough space for a decel lane and states this is too dangerous in a 65-mph zone. He also says that even if all entrances are approved, there would then be too many entrances in the space allotted.
- Mr. Joshua Trimble says that he has done some personal research and found that no permit has been applied for with DOT and he does not believe the 441 entrance is viable. He also states that McCoy Bridge can not handle the only entrances.
- Mr. Moon offers some insight on personal studies he conducted at local stations i.e., parking comparisons, residual fuel leakage from pumps, and sight distance. He says he believes the opposition is "making much ado about nothing" and we as a county need to stop limiting growth in every corridor.
- There is lengthy discussion about the separation of rezoning and conditional use applications with disagreement among staff present.

Motion to approve made by Mr. Moon, Seconded by Mr. O'Kelley.

Voting Yea: Chairman Mathis, Mr. O'Kelley, Mr. Wheatley, Mr. Moon

Voting Nay: Vice-Chairman Griffith

Motion to open Sections 602 and 603 for discussion/remove from table made by Mr. Moon, Seconded by Mr. Wheatley

Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon

Vote 5:0 and the motion passes

b. **TABLED:** Article VI: "ARR, Agricultural-Rural Residential District" Section 602

- Mr. Griffith recommends that the minimum square footage be removed. Mr. Wheatley recommends it be replaced with a smaller square footage. There is much discussion between the members of the board on the matter.
- Mr. Griffith reads off a change of wording that removes the minimum square footage as long as the homes meet the regulations/inspection requirements established by law/code and that also requires manufactured homes to be placed on a permanent slab foundation or concrete piers.
- Changes to section 602 would be amended to read as follows:
 - “4. Dwellings, single-family.
 - i. Any single, site-built, single family residential structure that conforms to all regulations and criteria set forth by Banks County Code, OCGA, and the International Building Code or any single, pre-fabricated or manufactured, single family residential structure that conforms to all regulations and criteria set forth by Banks County Code, OCGA, and the International Building Code, provided the structure sits on a permanent foundation, or concrete piers.
 - ii. Driveway permit required for Certificate of Occupancy

- iii. Driveway pipe of sufficient size on county roads when ditches present
- iv. Lots in Class I Subdivision may share a common driveway.”

Motion made to approve with changes by Vice-Chairman Griffith, Seconded by Mr. Wheatley.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
Vote 5:0 and the motion passes

- c. **TABLED:** Article VI: "ARR, Agricultural-Rural Residential District" Section 603

Motion made to approve as written by Vice-Chairman Griffith, Seconded by Chairman Mathis.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon

5. **ADJOURNMENT**

Motion to adjourn made by Mr. Moon, Seconded by Mr. Griffith
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
Vote 5:0 and the motion passes