



BANKS COUNTY PLANNING COMMISSION MEETING

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

Tuesday, January 04, 2022 at 6:30 PM

MINUTES

1. CALL TO ORDER

PRESENT

Chairman Brian Mathis

Vice-Chairman Taylor Griffith

Mr. Jay O'Kelley

Mr. Scott Wheatley

Mr. Sam Moon

2. APPROVE MINUTES

a. Minutes from December 2021

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

3. APPLICATION FOR REZONE

- a. 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.
- i. Applicant John Irvin of Foothills Design speaks about overall site plan; current property owner John D. Sewell speaks in favor, citing multiple years of studying land for optimal usage; business operator Karim Aly counters concerns about EPA and EPD involvement.
 - ii. Those opposed: Joshua Trimble of McCoy Bridge Rd, Dr. Robert Marshburn of Marshburn Dr, and Jeremy Harris, Harris Meats of McCoy Bridge Rd. each express concerns about the effect of the proposed business on the nearby Hudson River, as well as other environmental and ecological effects. Opposition also addresses traffic issues with current infrastructure.
 - iii. Mr. Trimble and Mr. Moon engage in discussion about roads, traffic, and traffic control ultimately culminating in agreement that a traffic study is needed.
- Motion to table until February 1, 2022 allowing time to submit a traffic study
 - Motion made by Vice-Chairman Griffith, Seconded by Mr. Wheatley.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. Wheatley
Voting Nay: Mr. O'Kelley, Mr. Moon

- Votes 3:2 and the motion passes

4. CODE AMENDMENTS: Amendments to Code of Ordinance Appendix A entitled "Zoning"

a. Article IV: "General Provisions"

- Section 413: remove the word *one* so that it reads "...may be less than two acres subject to..."
- Motion to approve with corrected error, section 413
- Motion made by Vice-Chairman Griffith, Seconded by Mr. Wheatley.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
- Votes 5:0 and the motion passes

b. Article IV: "General Provisions"

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

c. Article V: "CAD, Consolidated Agricultural District-Intensive"

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

d. Article V: "CAD, Consolidated Agricultural District-Intensive"

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

e. Article VI: "ARR, Agricultural-Rural Residential District"

- Motion to approve with deletion of 602-4-i, change of wording 602-4-iii to add "where required by site plan.", and deletion of 6-4-iv
- Motion made by Vice-Chairman Griffith. No second.
- Motion to approve with change of wording 602-4-I to read "1000 minimum square feet" with anything smaller being added as a conditional use, change of wording 602-4-iii to read "where required by site plan", and deletion of 602-4-iv
- Motion made by Mr. Moon. No second due to concern that smaller square footage would not be added to conditional uses.
- Motion to table until February 1, 2022 for further review
- Motion made by Vice-Chairman Griffith, Seconded by Mr. Moon.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon

- Votes 5:0 and motion passed
- f. Article VI: "ARR, Agricultural-Rural Residential District"
- Motion to table until February 1, 2022 for further review along with previous article changes
 - Motion made by Vice-Chairman Griffith, Seconded by Mr. Wheatley.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
 - Votes 5:0 and the motion passes
- g. Article VII(A): "R-1, Single-Family Residential District"
- Motion to approve with change of wording section 702(A)-1 to read "...not to exceed 650 square feet..."
 - Motion made by Vice-Chairman Griffith, Seconded by Chairman Mathis.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
 - Votes 5:0 and the motion passes
- h. Article VIII: "C-1, Neighborhood Commercial District"
- Motion to approve as written
 - Motion made by Vice-Chairman Griffith, Seconded by Chairman Mathis.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
 - Votes 5:0 and the motion passes
- i. Article IX(A): "C-2, General Commercial District"
- Motion to approve with change of wording section 902(A)-26, 27 to read "...no more than 5,000 square feet..."
 - Motion made by Vice-Chairman Griffith, Seconded by Mr. Wheatley.
Voting Yea: Vice-Chairman Griffith, Mr. Wheatley
Voting Nay: Chairman Mathis, Mr. O'Kelley, Mr. Moon
 - Votes 2:3 and the motion is denied
 - Motion to approve as written
 - Motion made by Mr. O'Kelley, Seconded by Mr. Moon.
Voting Yea: Chairman Mathis, Mr. O'Kelley, Mr. Moon
Voting Nay: Vice-Chairman Griffith, Mr. Wheatley
 - Votes 3:2 and the motion passes
- j. Article IX(B): "C-2, General Commercial District"
- Motion to approve with change of wording section 902(B) to read "...setback minimums are 100 feet from right of way..." and with the addition of a required opaque, vegetative buffer along side and rear property lines.
 - Motion made by Vice-Chairman Griffith, Seconded by Mr. Moon.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon

- Votes 5:0 and the motion passes
- k. Article X: "M-1, Industrial District"
- Motion to approve as written
 - Motion made by Vice-Chairman Griffith, Seconded by Mr. Moon.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
 - Votes 5:0 and the motion passes
- l. Article XII: "Administration, Interpretation, Enforcement, Penalties, and Remedies"
- Motion to approve as written
 - Motion made by Vice-Chairman Griffith, Seconded by Mr. Moon.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
 - Votes 5:0 and the motion passes
- m. Article XXI: "Office and Light Industrial District (OLI)"
- Motion to approve as written
 - Motion made by Vice-Chairman Griffith, Seconded by Mr. Wheatley.
Voting Yea: Chairman Mathis, Vice-Chairman Griffith, Mr. O'Kelley, Mr. Wheatley, Mr. Moon
 - Votes 5:0 and the motion passes

5. ADJOURNMENT

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