



BANKS COUNTY PLANNING COMMISSION MEETING

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

Tuesday, May 07, 2024 at 6:30 PM

MINUTES

1. CALL TO ORDER

a. Roll Call

PRESENT

Chairman Taylor Griffith

Mr. Jay O'Kelley

Ms. Jody Parks

Mr. Jason Hensley

ABSENT

Vice-Chairman Scott Wheatley

b. Pledge of Allegiance

2. APPROVAL OF AGENDA

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

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

3. APPROVAL OF MINUTES

a. Minutes from April 16, 2024 Worksession

b. Minutes from April 16, 2024 Regular Meeting

Motion to approve both documents made by Mr. Hensley, Seconded by Mr. O'Kelley.

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

4. APPROVAL OF PLATS

a. No plats for approval

5. PUBLIC HEARING: APPLICATIONS

a. Z-24-01 Mr. Ingle wishes to rezone 1-acre C2 back to ARR to combine with adjacent residential lot.

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

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

b. CU-24-01 - WITHDRAWN

c. V-24-01 Mr. Hunter needs to build his house 15' from property line instead of 30' due to topography.

Motion to approve made by Ms. Parks, Seconded by Mr. Hensley.

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

6. PUBLIC HEARING: ORDINANCES

Due to the nature of items a. through l., Planning Commission will offer a courtesy recommendation on them as a group after hearing them all.

- a. Chapter 2- Administration, Article I- In General, Sec. 2-2- Departments Created.
- b. Chapter 2- Administration, Article III- Officers and Employees, Sec. 2-61- Appointment of Officers and Department Heads.
- c. Chapter 6- Alcoholic Beverages, Article I- In General, Sec. 6-4- Qualifications of Applicants for Consumption on the Premises License.
- d. Chapter 6- Alcoholic Beverages, Article I- In General, Sec. 6-6- Consumption on the Premises License Renewal and Transfer.
- e. Chapter 6- Alcoholic Beverages, Article I- In General, Sec. 6-13- Annual license fee for consumption on the premises of alcoholic beverages.
- f. Chapter 6- Alcoholic Beverages, Article III- Retail Sale of Malt Beverages and Wine, Sec. 6-52- Definitions.
- g. Chapter 14- Animals, Article II- Dangerous Dogs, Sec. 14-32- Dog Control Officer; Hearing.
- h. Chapter 22- Businesses, Article IV- Canvassers, Solicitors, and Peddlers, Sec. 22-401- Definitions.
- i. Chapter 22- Businesses, Article IV- Canvassers, Solicitors, and Peddlers, Sec. 22-403- Registration, Permit, and License Requirement.
- j. Chapter 22- Businesses, Article IV- Canvassers, Solicitors, and Peddlers, Sec. 22-406- Authorization of Permit.
- k. Chapter 22- Businesses, Article IV- Canvassers, Solicitors, and Peddlers, Sec. 22-409- Approval and Issuance of Permit.
- l. Chapter 70- Solid Waste, Article III- Litter Control, Division 2- Scrap Tires, Sec. 70-95- Enforcement.
Motion to approve items a. through l. made by Mr. Hensley, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley
- m. Chapter 74- Subdivisions, Article VI- Requirements for Streets and Other Right of Way, Sec. 74-162- Street Names, Street Signs, and Street Numbers.
Motion to approve made by Mr. Hensley, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley
- n. Appendix A- Zoning, Article XIX- Multifamily Housing Developments, Section 1908- Lighting.
Motion made by Ms. Parks, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley
- o. Appendix A- Zoning, Article XXII- Hotels or Motels, Section 2206- Landscape Plan.
Motion to approve made by Mr. Hensley, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley
- p. Appendix A- Zoning, Article XXIII- Extended Stay Hotels or Motels, Section 2305- Recreation.
Motion to approve made by Mr. Hensley, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley
- q. Appendix A- Zoning, Article XXIII- Extended Stay Hotels or Motels, Section 2308- Landscape Plan.

Motion made by Ms. Parks, Seconded by Mr. Hensley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- r. Chapter 62- Roads and Bridges, Article III- Street Names/Housing Numbers, Sect. 62-63- Designation of street numbers.

Motion to approve made by Mr. O'Kelley, Seconded by Mr. Hensley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- s. Appendix A- Zoning, Article IV- General Provisions, Sect. 421- Short-term Rentals.

Genee Moore, a current STR owner speaks on behalf of the code. She asks about the maximum occupancy and speculates that it might be better to base the number on square footage of the home rather than number of bedrooms.

Discussion:

Mr. O'Kelley and Ms. Parks express concerns about fire safety. Mr. O'Kelley states that he wants clarification in item number 7 that fire safety be held to the state standard after being addressed with inspectors at Bureau Veritas and the State Fire Marshal. Mr. O'Kelley says he believes this will answer the question of maximum occupancy as well.

The following clarification is offered:

7. All ~~residences~~ structures built for the purpose of short-term rental shall be built to the same standards as single-family residences according to current international, state, and county residential property codes for building, zoning, fire prevention, and health and sanitation and shall be required to be permitted and inspected as such. An operable interconnected, hard-wired smoke detection system, with battery backup, is required outside each bedroom. (In the case of registered nonconforming uses, an operable battery-operated smoke detector outside of each bedroom will be accepted.) Any units with LP or natural gas must have a carbon monoxide detection system as well.

Motion to approve with clarification made by Ms. Parks, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- t. Appendix A- Zoning, Article VI- ARR, Agricultural Rural residential District, Sect. 603- Conditional Uses.

Motion to approve made by Mr. Hensley, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- u. Chapter 74- Subdivisions- Article II- Application- Platting Jurisdiction and Enforcement- Section 74-33- Platting Authority.

Motion to approve made by Ms. Parks, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- v. Chapter 74- Subdivisions- Article II- Application- Platting Jurisdiction and Enforcement- Section 74-34- Use of Plat.

Motion to approve made by Mr. Hensley, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- w. Chapter 74- Subdivisions- Article II- Application- Platting Jurisdiction and Enforcement- Section 74-98- Review of Final Plat.

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

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- x. Chapter 74- Subdivisions- Article IV- Procedures and Requirements for Approval of Plats- Section 74-100- Final Plat Specification.

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

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- y. Appendix A- Zoning- Article IV- General Provisions- Section 412- Accessory Buildings and Structures.

Discussion:

Mr. Hensley and Mr. Griffith express their dislike of the limitations set in the ARR and CAD zones. Ms. Parks states she is hesitant to remove them as the case may vary from one situation to the next. Mr. Hensley and Mr. Griffith remain rigid in their stance. Their proposal is the following:

In R1 zones, accessory buildings and structures shall be located only in the side or rear yards. ~~In ARR and CAD zones, accessory structures on less than 5 acres shall be located only in the side or rear yards. Accessory structures located in ARR or CAD zones on greater than 5 acres may be located to the front of a dwelling but no closer than 100' from the road right-of-way.~~

Motion to approve with changes made by Mr. Hensley, Seconded by Mr. O'Kelley.

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- z. Appendix A- Zoning- Article IV- General Provisions- Section 417- Home Occupations.

Discussion:

Ms. Fincannon states that after the work session, she understands the rationale behind the denial of this and the following amendment. Mr. Griffith and Ms. Fincannon agree that the work session provided some good insight.

Motion to deny made by Mr. Hensley, Seconded by Ms. Parks.

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- aa. Appendix A- Zoning- Article VII(A)- R-1- Single-Family Residential District- Section 702(A)- Permitted Uses.

Motion to deny made by Mr. Hensley, Seconded by Mr. O'Kelley.

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- bb. Appendix A- Zoning- Article VIII- C-1- Neighborhood Commercial District- Section 802- Permitted Uses.

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

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

- cc. Appendix A- Zoning- Article IX(A)- C-2- General Commercial District- Section 902(A)- Permitted Uses.

Motion to approve made by Mr. Hensley, Seconded by Mr. O'Kelley.
Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

7. ROUNDTABLE DISCUSSION

- a. No scheduled discussion

Chairman Griffith recommends that due to lack of reliable internet service in the building we go back to hard copies of packets. Ms. Fincannon agrees to prepare notebooks in the future.

8. ADJOURNMENT

Motion to adjourn made by Mr. O'Kelley, Seconded by Mr. Hensley.

Voting Yea: Chairman Griffith, Mr. O'Kelley, Ms. Parks, Mr. Hensley

The Planning Commission reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Planning Commission members, staff, and members of the public exceeds the legal limits. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the County Clerk, at least three business days in advance of the meeting at 706-677-6902 to allow the County to make reasonable accommodations for those persons.