

Lincoln County Planning Commission Meeting

October 8th, 2007 - 5:30 p.m.

The Lincoln County Planning Commission met in regular session on Monday, October 8th, 2007 at 5:30 pm in the Conference Room of the Planning and Zoning Department building. Those present were Coleman Kennedy, Vice-Chairman, District Three; Commissioner Bill Parker, District One; Commissioner Jim Mattison, At Large by the Chairman; Britt Hammond, County Attorney; Meg Burg, Planning and Zoning Director and Denise Cunningham, Planner.

1.

Call Meeting to Order

Vice-Chairman Kennedy called the meeting to order.

2.

Invocation

Vice-Chairman Kennedy opened the meeting with prayer.

3.

Pledge of Allegiance to the Flag

Vice-Chairman Kennedy led in the Pledge of Allegiance to the Flag.

4.

Declaration of a Quorum

Quorum was confirmed by Vice-Chairman Kennedy.

5.

Approval of Minutes

On motion by Commissioner Mattison and seconded by Commissioner Parker, the board voted unanimously to approve the minutes from the previous meeting.

6.

Variance Request

Applicant: Annette and Ronnie Johnson

4.02 Acres located on Augusta HWY

Vice-chairman Kennedy opened the meeting with a plat approval variance / lot area for 4.02 acres known as Tax Map 46/Parcel 24 owned by Annette and Ronnie Johnson located off of the Augusta HWY. Mr. and Mrs. Johnson were present for questions from the committee. Mr. and Mrs. Johnson would like to divide the existing non-confirming Small Engine Repair Shop from the home located on the lot. The shop sits on the road frontage and there is a separate driveway for the home on the back

side of the lot. Director Burg advised that the division does not meet the required amount of road frontage to separate the commercial business from the residential home which is zoned as A-2. She advised that there are (2) existing easements on the property for access. The shop will have most of the road frontage and will be required to have 1 acre (maybe smaller after surveyed based on the easements for the home) and the remaining of the 3.02 acres will go with the house. It is a nonconforming use that the Johnsons would like to bring up to a conforming use. Director Burg stated that if approved, the Johnsons will have to come back and apply for the shop to be rezoned commercial. After a brief discussion from the committee, Vice-Chairman Kennedy asked for a motion with the following condition:

- (a) **Rezoning request for non-conforming business must be filed with the Planning Commission prior to recording the plat.**

Commissioner Mattison motioned to approve the variance and Commissioner Parker seconded the motion. The board voted to unanimously approve the lot area variance with the above condition.

7.

Rezoning Request

Applicant: Claud Caldwell

For a Landscape Nursery Business

1.56 acres located on Elberton Hwy (GA HWY 79)

Vice-chairman Kennedy moved to the next item for a rezoning request for 1.56 acres known as (Tax Map 06B/ Parcel 24C) from R-1 to C-1 for the purpose of a Landscaping Nursey Business located on Elberton Hwy owned by Claud Caldwell. Mr. and Mrs. Caldwell were present for questions from the committee. Mr. Caldwell stated that he would like to put up a small shop and landscape the front and put up a nice sign on the property and start out small. After a brief discussion, Vice-Chairman Kennedy asked for a motion and Commissioner Parker motioned for approval. Commissioner Parker advised the following conditions set forth:

- 1. Any changes of the purpose or the use of this property must come before the Planning Commission for approval.**
- 2. A minimum 25' landscaped buffer must be provided between the right-of-way and any parking area or structures.**
- 3. Required buffers (section 34-631 – Buffer Requirements) shall be planted and maintained between different zoning districts and screening of storage areas and equipment (section 34-633).**

- 4. Must meet all requirements of Section 34-738. Building permit must be obtained within one year of rezoning approval. Business license must also be obtained.**

- 5. A full detailed site plan and an approved permit for a driveway must be obtained from the Georgia DOT prior to the issuance of any building permits.**

Commissioner Mattison seconded the motion and the board voted unanimously to approve the rezoning request with the above mentioned conditions.

8.

Special Use Permit

Applicant: Mack Tallent

For a Recycling Center for Wood Debris and Soil

35 acres of a 96.8 acre tract located off of Aycock Norman Road

Vice-chairman Kennedy moved to the last item on the agenda with a Special Use Request for approximately 35 acres of a 96.8 acre tract known as (Tax Map 46/Parcels 064 and 065) owned by Mack Tallent for a Recycling Center for Wood Debris and Soil Sales Business located on Aycock Norman Road. Mr. Tallent presented that he does lot clearing for a living and has found the need for a recycling wood debris center.

Commissioner Parker asked if this would be for wood debris only. Mr. Tallent replied that if it had anything to do with a tree. He explained that when he clears a lot there is no where close by to dispose of the tree trunks, limbs, etc. Vice-chairman Kennedy asked if this would be a day to day operation. Mr. Tallent replied that it would be opened daily to the public, but they would not grind daily. He would wait til he had an accumulation to require running the portable chipper. The equipment will be located towards the back of the property and would not be seen from the road. Vice-chairman Kennedy opened the floor for the public to speak.

- 1. Duncan Ordway – concerned with permitting the entire 96 acres which Director Burg advised that if special use permit is granted, Mr. Tallent will only utilize the front 35 to 38 acres. Concerned with noise factor. Mr. Tallent stated that the business will operate from M-F from 9AM – 5PM and Saturday 9AM-12AM. He would be hauling in and not chipping every day. Concerned with weight limit on Aycock Norman Road bridge. If hauling in pick up, the bridge is useable. If using dump truck, use other route. Director Burg made the statement that is the job of DOT and local police department to monitor weight limits on bridges.**

- 2. Leslie May Young – Concerned with trucks using the easement on Hearst-Cebo Road. She stated that she did not mind Mr. Tallent using his personal trucks, but did not want other contractors using this easement. Mr. Tallent stated that he would have signs directing to use the entrance off of Aycock Norman Road. Mrs. Young also had concerns about the dust that will be created from using the chipper. Mr. Tallent stated that the inert land field located off of the Gordon Hwy did not create dust that caused any problems. His work site will be located far off the road and will not be visible from the road.**
- 3. Kathy Ferguson – Owns property and has concerns on why the easement is needed if Mr. Tallent has a road all the way to the back of his property. Mr. Tallent explained that in order for him to sell the back acreage, he will need the easement for access.**
- 4. Gyp Hearst, Jr. – Concerned that this will become more than a dump site for wood debris. Vice-chairman Kennedy stated that this is a special use permit and if there are any changes it would come before the Planning Committee.**
- 5. Steve Hood – Land Clearing Contractors need a place to dump wood debris. They have to travel out of the county now to dump wood. The counties that do take in wood debris are expensive with the cost of dumping, travel expense and time to haul it out of the county. There is a need for this recycling center. Recycling is the way to go. It would benefit the county.**
- 6. Lamar Wade – The recycling center is definitely needed. This would prevent fire hazard from trying to burn on the lot.**
- 7. Pat Gazzaway – I understand that there is a need for this type of business. However, how will it affect surrounding property owners as far as building houses. Who will regulate the noise factor? Mack Tallent again advised the proposed business hours.**
- 8. Hamilton Dawkins - I am in the land clearing business and just started a container business that will haul this wood debris. If you have ever noticed in town when they pick up limbs to grind, cars pass by and the noise is not that loud. The noise created will not be like the chip mill. I grew up across from the chip mill. The noise is not comparable to the chip mill. Mr. Dawkins went on to say that a large portion of the new development is out on the Elberton Hwy (GA HWY 79) and the traffic would be in that direction.**
- 9. Tim Lawson – I'm for the recycling center.**
- 10. Cathy Ferguson – What will happen if a fire breaks out? You have done away with the pond in front. We are 6 miles from Midway Fire Department. Mr. Tallent stated that he had another pond on the property.**

11. Lessie Mae Young – Presented Mr. Tallent with list of people opposed to the recycling center.

Commissioner Parker stated that this request for the recycling center is for a Special Use Permit. At anytime, if something changes and it does not pertain to the approved use, the business can be shut down. Commissioner Mattison stated that this is not a rezoning request and that the land will remain agriculture zoning. After a brief discussion, Commissioner Parker motioned for the special use permit to be approved. Director Burg advised the committee to include the following terms set forth:

- 1. Any changes of the purpose or the use of this property must come before the Planning Commission for approval.**
- 2. A minimum 50' setback must be provided off all property lines.**
- 3. Required buffers (section 34-631 – Buffer Requirements) shall be planted and maintained between different zoning districts and screening of storage areas and equipment (section 34-633).**
- 4. Access of all business traffic must be made off Aycock Norman Road. The easement off Hearst Cebo Road shall only provide personal use.**
- 5. Hours of operation: 9AM – 5PM (Monday – Friday)
9AM – 12 Noon (Saturday)**
- 6. Required to chip all materials on premises during normal business hours and no less than once every sixty days. Must meet all EPD requirements.**

Commissioner Mattison seconded the motion and the board voted unanimously to approve the Special Use Permit with the above mentioned conditions.

9.

Planning and Zoning Departmental Update and Discussion

10.

Adjourn

On motion by Commissioner Mattison and seconded by Commissioner Parker, the board voted to unanimously adjourn.

Coleman Kennedy, Vice-Chairman

Denise Cunningham, Planner