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Sarah Baker

Alonzo Bryant

Andrew Williams

Marshall Kennemer

Phil Odom

Durand Standard

June 22, 2016

The Liberty Consolidated Planning Commission met on Tuesday, June 21, 2016, in the Historic Courthouse, 100 Main St., Hinesville, GA. Tim Byler, Vice-Chairman, called the meeting to order. A Motion was made by Marshall Kennemer to accept the minutes from the May 17, 2016, meeting. Alonzo Bryant seconded the motion. Motion passed unanimously. Vice-Chairman Tim Byler asked for a motion to accept the final agenda. Motion was made by Durand Standard and seconded by Phil Odom. Motion passed unanimously. The public was notified of the meeting; the agenda was posted in accordance with Georgia Law.

COMMISSIONERS PRESENT:

Durand Standard

Phil Odom

Andrew Williams

Lynn Pace

Alonzo Bryant

Tim Byler

Marshall Kennemer

ABSENT:

Sarah Baker

Jack Shuman

OTHERS PRESENT:

Jeff Ricketson, Executive Director, Secretary

Gabby Hartage, Zoning Administrator

Melissa Jones, Planner II

Curles Butler, Senior Inspector

Abe Nadji, Engineering Director

Vice-Chairman Byler asked the public to disclose prior to speaking at the podium if they had contributed more than \$250.00 to any elected official who would be voting on these zoning matters.

1.0 OLD BUSINESS (OPEN PUBLIC HEARING)

2.0 NEW BUSINESS

2.1 Consent Agenda Items (None)

2.2 Ordinances and Resolutions

Liberty County Joint Comprehensive Plan

The Liberty Consolidated Planning Commission will review the draft 2040 Liberty County Joint Comprehensive Plan and allow for comments before the plan is submitted to the Coastal Regional Commission and the Georgia Department of Community Affairs for review. Support from each governing authority will be documented prior to official submittal.

Melissa presented this to the Planning Commission. Melissa will present the Comprehensive Plan to each government entity within Liberty County. She stated that the plan would be sent to the Coastal Regional Commission on August 1, 2016.

RESOLUTION: Approval of the 2040 Liberty County Joint Comprehensive Plan.

MOTION: Durand Standard

SECOND: Lynn Pace

VOTE: Unanimous

3.0 REZONING PETITIONS AND OTHER ZONING RELATED ITEMS

HINESVILLE

3.1 Presentation on the regulation of animal facilities in the City of Hinesville, as requested by the Planning Commission at its May 17, 2016 meeting.

Gabby presented the information to the Planning Commission. Gabby explained that the ordinance did not include a definition of kennel. The LCPC spoke with City of Hinesville's attorney, Linnie Darden, who reviewed the information for the special permit and advised that the State of Georgia's definition for "kennel" to be used in the absence of the City of Hinesville ordinance definition.

DEFINITION: "Kennel" means any establishment, **other than an animal shelter**, where dogs or cats are maintained for boarding, holding, training, or similar purposes **for a fee or compensation**. Similar purposes include, but are not limited to, activities of a breeding establishment, cattery or grooming shop.

3.2 Special Permit Use 2016-012-H. A request by Thomas Barbour, applicant, for a puppy daycare/dog training center at 108/110 Devereaux Road, further described as LCTM-Parcel 038C-038.

Gabby presented this special permit to the Planning Commission. This action was tabled at the May 17, 2016 meeting in order to gather more information. Gabby stated the business still needed to acquire a permit from the Georgia Dept. of Agriculture, City of Hinesville Inspections Department, and the Fire Department. The approval for the building for the purpose of this use has not been approved at this time by the inspections department. Currently several other buildings (residences and businesses) are located within the 300-foot ordinance buffer requirement. Gabby stated that recommendation of disapproval is the same from last month due to the City of Hinesville ordinance requiring a 300-foot distance requirement from neighboring residences and businesses.

Dwayne Blake came forward to speak in support of the dog-training center. Mr. Blake stated that he trains the dogs to help with therapy for veterans that have been diagnosed with PTSD. He stated that he understands he is within the 300-foot parameter of the other buildings but he has other buffers that will help to shield the neighbors from the dog center. He demonstrated a device that he has that attaches to the dog and emits a signal that deters the dog from barking. Commission Kennemer asked Mr. Blake if he was conducting the training for the dogs for the soldiers. Mr. Blake stated he is the trainer. Commissioners Kennemer also asked if the soldier does not own a dog would Mr. Blake provide a dog to the soldier. Mr. Blake stated that they will have dogs on site (once they are open) that are trained and certified to give to the soldier that suffers from PTSD.

RECOMMENDATION: Disapproval

MOTION: Lynn Pace

SECOND: Phil Odom

VOTE: Two against motion and five in favor of motion, with Commissioner Kennemer and Commission Williams against the motion.

This special permit use will be heard by the City of Hinesville on July 7, 2016 at 3:00 p.m.

3.3 Special Permit Use 2016-015-H. A request by Meike Wilder, applicant, for a special permit use for the continued operation of Carpathia Paws, which is a non-profit animal shelter/rescue. Property is further described as LCTM-Parcel 038D-002.

Gabby presented this special permit use to the Planning Commission. The property owner is Paul Krebs. Gabby described on the map how the rescue shelter and the buildings are set up on the property. She pointed out that there is one building on the property that is not owned by Paul Krebs. The applicant obtained letters from each tenant on the property to include the landowner that is adjacent to the property stating that they are aware of the rescue shelter and have no issues with Carpathia Paws. Carpathia Paws has been located there for a little more than three years. Carpathia Paws is a non-profit shelter. They receive the animals, nurture them back to health, and find the animal a home. Gabby presented the Planning Commission with the statistics that showed how many dogs they have rescued.

RECOMMENDATION: Approval based on the definition of “kennel” as provided by the State of Georgia.

Jeff Ricketson stated that Carpathia Paws has their Georgia Dept. of Agriculture license and their non-profit status from the State of Georgia. Commissioner Pace asked if the office located on the property belonged to Paul Krebs. Gabby stated that it once was his office but is no longer. Vice-chairman Byler asked Gabby to describe the layout of the property again. Commissioner Pace asked if the other residents were within 300 feet of the rescue shelter and Jeff stated that they are within the 300 ft. Gabby stated that Mr. Krebs owns the mobile homes and they are leased to tenants. Gabby pointed out each of the residences to the Planning Commission.

Donnie Smith came forward to speak in favor and support of Carpathia Paws. Mrs. Smith stated that the rescue shelter is a wonderful public service to the community. She stated that the rescue does not cost the taxpayers. She stated that she feels that they should be allowed to continue to

do their work. Commissioner Odom asked Mrs. Smith if there has been any issue with the neighborhood. Mrs. Smith stated that there has never been one complaint.

Samantha Shirley, animal health technician on Fort Stewart came forward to speak in favor of Carpathia Paws. She stated that they also operate a stray facility and the government will only allow them to house the strays for three days. If they have not been adopted out or assigned to a rescue shelter within the three days then the dog is euthanized. She stated that Carpathia Paws has saved hundreds of animals. She also stated that Carpathia Paws makes sure each dog is fully vaccinated and up to date on its shots and healthcare.

MOTION: Marshall Kennemer with standard and special conditions

SECOND: Andrew Williams

VOTE: Unanimous

This special permit use will be heard by the City of Hinesville on July 7, 2016 at 3:00 p.m.

Commissioner Kennemer stated that he would like our office to contact Mr. Barbour and let him know that he should obtain letters in writing from the surrounding neighbors possibly stating that they are not against his establishment location. He could present the letters to the City of Hinesville when his special permit goes before them.

3.4 Special Permit Use 2016-011-H. A request by Alden D. James, applicant, for a small auto sales business at 1013 Airport Road at an existing convenience store. Property is further described as LCTM-Parcel 038C-039.

Gabby presented this special permit use to the Planning Commission. This item was tabled at the May 17, 2016 Planning Commission meeting for the staff to gather more information on the parking requirements. Gabby demonstrated on the map the location of each parking space of the property.

RECOMMENDATION: Approval for up to five vehicles for sale.

Alden James came forward, spoke in favor of his special permit, and asked the Planning Commission if it would be possible for him to have seven spaces. Mr. James indicated that the car wash does not have an office. Commissioner Odom stated that the City of Hinesville ordinance for parking is based on square footage of the property.

MOTION: Phil Odom

SECOND: Durand Standard

VOTE: Unanimous

This special permit use will go before the City of Hinesville on July 7, 2016 at 3:00 p.m.

3.5 Rezoning Petition 2016-013-H. Celso Backes and Gallen Solutions, LLC, owner, to rezone 1.01 acres of land, more or less, from R-4 (Single-, Two-Family Dwelling District) to C-2 (General Commercial District) for a single tenant general retail store and one future commercial user, have filed an application. Property is described as LCTM-Parcel 037A-008.

Gabby presented this rezoning petition to the Planning Commission. The location of the property is West 15th Street. Gabby demonstrated on the zoning map the set-up of the property.

Commissioner Pace asked if the city widens 15th as currently planned, will this development be built to accommodate that and Gabby stated that it would have to be. Commissioner Pace asked about the two entrances to the property and Gabby stated that would be addressed when the site plan is submitted. Vice-Chairman Byler asked about the widening and if the applicant had considered this. Commissioner Odom asked if the right-of-way had been acquired for the expansion of 15th Street. Jeff Ricketson stated that the right of way is in place and the applicant would have to set back from the right of way the required distance. Vice-Chairman Byler stated that since this does touch the comprehensive plan, how would the Commission indicate that to the City Council. Jeff stated that the Commission could approve it based on the proximity to the commercial area.

RECOMMENDATION: Approval

Brad Israel with Elkin and Associates came forward to speak in favor of the rezoning petition. They are the developers that have this property under contract. He is here for questions.

MOTION: Durand Standard

SECOND: Phil Odom

VOTE: Unanimous

This special permit use will go before the City of Hinesville on July 7, 2016 at 3:00 p.m.

LIBERTY COUNTY

3.6 Rezoning Petition 2016-014-LC. Sunbury Development Corporation (AG Wells), owner, to rezone 7.41 acres of land, more or less, from R-4 (Mobile Home Park Residential District) to AR-1 (Agricultural Residential District) and to B-1 (Neighborhood Commercial District), has filed an application. Property is located off South Coastal Hwy 17 and is further described as LCTM-Parcel 187D-035.

Gabby presented this rezoning petition to the Planning Commission.

RECOMMENDATION: Approval

A.G. Wells came forward to speak in support of the rezoning petition. He stated that he is President of Sunbury Development Corporation. He stated that he bought the property with the intention of placing a mobile home park at the location. He has since changed his mind and decided that he does not want to remove the beautiful trees that are located on the property.

Ron Tolley came forward and stated that he was very pleased to see that Mr. Wells was not placing a mobile home park on the property, which is located, adjacent to the entrance to the Tradeport West Industrial Park. Mr. Tolley also stated that he is speaking strictly as Ron Tolley, and not on behalf of the Development Authority. He asked if it would be possible to install a good buffer behind the residential area. He said it is a negative to have any residential homes close to the Industrial Park. The Commission stated that the buffer is usually the responsibility of the industrial or commercial side rather than the

residential owner. All of these issues would be addressed at the time of the site plan review.

MOTION: Durand Standard
SECOND: Marshall Kennemer
VOTE: Unanimous

This rezoning petition will be heard by the L.C.B.O.C. on July 5, 2016 at 6:00 p.m.

3.7 Rezoning Petition 2016-016-LC. An application has been filed by Jerry C. Poppell, owner, to rezone 4.8 acres of land, more or less, from AR-1 (Agricultural Residential District) to B-2 (General Commercial District) for an outdoor retail market/flea market off E. Ogleshorpe Hwy, further described as LCTM-Parcels 101-053 and 101-049.

Gabby presented this rezoning petition to the Planning Commission. Mr. Poppell is proposing to have an outdoor flea market once the parcel is rezoned. Gabby described where the vending area would be located on the property. The vendors would bring their own tables and tents to set up each day of operation. GDOT approval is required when a commercial driveway is necessary.

RECOMMENDATION: Approval

Mr. Poppell, owner, came forward to speak in favor of the rezoning. He has owned the property for over 20 years. He mentioned that there is a Dollar General currently being constructed directly across the street and a BBQ business as well. Mr. Poppell stated that his rezoning falls within the mixed-use corridor of the comprehensive plan. Mr. Poppell stated that it would be similar to the downtown farmers market. He has contacted GDOT and is awaiting a response from them as to what would be required for the driveway. Mr. Poppell stated that this is another way to bring more money into Liberty County. Mr. Poppell stated that he would clean the property up and make it something that the nearby residents will like.

Ollie Mae Howard stated that she would like Vice-Chairman Byler to read what she has written down on her comment card. Byler read "this is a clean idea and helpful for our community and for generations to come. She is in support of this action."

Frederick Proctor stated that he is against this petition. He is concerned about the survey. He said he does not believe the backside of the survey is correct. He does not think the residents in this area would benefit from that flea market because they already have trouble from the water now. Mr. Proctor feels if trees are removed this will cause more water problems. Commissioner Pace asked Mr. Proctor if he lives in that area. Mr. Proctor stated that he does. His property is on the backside of Mr. Poppell's. Gabby pointed out on the map where Mr. Proctor's property is located for the Planning Commission. Mr. Proctor said that his property is not measured correctly. He has two acres and it is not currently showing two acres. Mr. Proctor states that the water flows over from the wetlands and then his property has flooding issues. Vice-Chairman Byler asked Gabby to verify her paperwork to make sure we are accurate. Gabby stated that she has the deed and survey as researched and provided by the Liberty County Clerk of Courts Office. Mr. Poppell stated that he hired Mr. A. G. Wells, a surveyor, to re-survey the property at his own expense. Commissioner Williams asked if the flea market would be located on parcel number 53. Mr. Poppell stated that is correct. Mr. Williams asked if parcel number 49 is mostly wetlands, why are we talking about it. Commissioner Standard stated that he feels that he and

Mr. Williams have the same concerns. Commissioner Standard stated that if this petition were approved, these concerns would be addressed at the time of the site plan review and approval. Commissioner Standard stated they want to be sure that the wetlands are not disturbed.

Pharris Proctor came forward to state that he has some of the same concerns. Mr. Proctor stated that the community is concerned about the neighborhood. His mom lives on Tyson Road as well and would not be in favor of all the activity and traffic that this would bring to the neighborhood. He and the neighbors want to keep this neighborhood safe for the community. Commissioner Pace asked him to point out where his property is located. He indicated that to the Planning Commission.

Jerry Johnson came forward and spoke in opposition. He attends the church across the street from this property and the church has concerns that there will be a lot of traffic in and out of the property and most of the services at his church are performed on Saturday and Sunday. Mr. Johnson stated that it is very complicated to pull out on HWY 84 from his church now and feels that this business will make this tougher. Mr. Johnson stated that he is speaking on behalf of his pastor and himself.

Angel Roberts came forward to speak in opposition. Ms. Roberts lives in the same neighborhood. She is concerned that her property taxes will increase once the property is rezoned to commercial.

Andrea Winn came forward and spoke in opposition. Ms. Winn lives in the same neighborhood and she states that when she looks out her back door her view would be of the flea market. She is also concerned about the taxes. Ms. Winn stated that the flea market might bring in unwanted strangers wondering around their property. This property sits between two residences and she is concerned about the traffic. Commissioner Pace stated that she is concerned about the impact on the homeowners. She suggests a buffer to help with noise. Jeff Ricketson stated that the comprehensive plan states that this property is mixed use rural, which is a combination of residential or commercial. Commissioner Pace stated the property goes pretty far back. The Planning Commission looked over the area again.

MOTION: Lynn Pace motioned to disapprove. No second was made.

MOTION: Andrew Williams motioned that the Planning Commission table the petition until we are able to conduct more research on this zoning as B-2.

Tim Byler stated that he is in favor of postponing with a time frame that the Planning Commission look at it again next month. Andrew Williams stated that he would also be interested to hear what GDOT is going to require for the driveway.

SECOND: Alonzo Bryant

VOTE: Unanimous

This petition will be heard again at the Planning Commission meeting on July 19, 2016 at 4:30 p.m.

3.8 Conditional Use 2016-017-LC. A request for a conditional use to be able to have a family cemetery on family land consisting of 300 acres, more or less, and located off of Hwy 196 W; property owner is Wilma F. Ray and property is further described as LCTM-Parcel 015-010.

Gabby presented this conditional use to the Planning Commission.

RECOMMENDATION: Approval

MOTION: Marshall Kennemer

SECOND: Lynn Pace

VOTE: Unanimous

This will go before the LCBOC on July 5, 2016 at 6:00 p.m.

CLOSE PUBLIC HEARING

4.0 SITE PLANS, PRELIMINARY PLATS & FINAL PLATS

5.0 INFORMATIONAL ITEMS

6.0 GENERAL PUBLIC COMMENTS

7.0 OTHER COMMISSION BUSINESS

7.1 Director's Report

Jeff Ricketson presented the Planning Commission with an update of last month's actions. Jeff stated that Hinesville Mayor & Council approved Griffin Park subdivision and modified the Planning Commission's condition to have a Mr. Dryden install a fence to divide the neighborhood and the residence with the farm. The City of Hinesville Council voted for Mr. Dryden to install a shorter fence.

8.0 ADJOURN

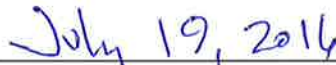
MOTION: Durand Standard

SECOND: Phil Odom

VOTE: Unanimous.



Tim Byler, Vice-Chairman



DATE



Jeff Ricketson, Secretary to the Board