



HABERSHAM COUNTY
GEORGIA | Est. 1818

HABERSHAM COUNTY

Planning & Development

130 Jacob's Way Clarkesville, GA 30523
706-839-0142 www.tidills@habershamga.com

MINUTES
HABERSHAM COUNTY PLANNING COMMISSION
Public Hearing
Tuesday, April 6, 2021

The Habersham County Planning Commission held a public hearing on Tuesday, April 6, 2021 in the Commission Conference Room of the Habersham County Administration Building, located at 130 Jacob's Way in Clarkesville, Georgia.

Planning Commission Members Present: Marquis Arender, David Purcell, Bill Gresham, D. Higgins, Robert Gutowski, & Jason Smith

Commissioner Mike Van Winkle was unable to attend.

Also present were Mike Beecham, Planning and Development Director, & Troy Dills, Habersham County Planner.

CALL MEETING TO ORDER:

Chairman Bill Gresham called the meeting to order at 6:03 PM.

INVOCATION:

Invocation was given by Marcus Arender

APPROVAL OF MINUTES:

Minutes of the February 2, 2021 Planning Commission meeting were approved without change.

APPROVAL OF AGENDA:

Agenda of the February 2, 2021 Planning Commission meeting were approved without change.

PUBLIC COMMENT:

None

NEW BUSINESS:

CU-21-02: Hector Sanchez-Fabian is seeking a Conditional Use to grant them permission to hold a wedding on their property. The event will have food as well as a live band for music. The tract is located at 1789 Alto Mud Creek rd. and is further identified as Map 053 Parcel 013.

Before public discussion was made the applicant was given a chance to talk about the proposal that he had submitted. Mr. Sanchez-Fabian joined the meeting per phone. He was represented by Ms. Stephanie Gutierrez who was his spokesperson and interpreter. Ms. Gutierrez was also remoted in via phone.

Some residents from the surrounding area attended the meeting to express their concerns and were given an opportunity to do so. The following people made statements.

Mr. Jason Anderson, 2029 Alto Mud Creek Rd.

Mr. Thomas Weyrich, 2205 Alto Mud Creek Rd.

The main concerns from those who spoke were primarily the same as shown below.

- Noise factor from the band, excess of people, etc. (previous events at this location the noise could be heard at least a mile away up the road).
- Public safety issues from increased traffic as well as parking accommodations.
- Concern about disturbance from late night festivities.

The Planning Commission then gave Ms. Stephanie Gutierrez an opportunity to respond to the area's concerns. Ms. Gutierrez stated that no doubt there will be noise, but they intended to try to manage it as much as possible in respect to the neighborhood. She also stated that she thought that since it was July 4th weekend there would already be noise because of fireworks that may be used by others celebrating the holiday. The point was also made by her that the last time there were problems or incidents at this location it was owned by another party.

After Ms. Gutierrez spoke, Commissioner D. Higgins then closes public comments.

A motion was then made by Commissioner David Purcell to approve CU-21-02 as long as the following criteria was met.

- This must be a one-time only event and to be held on July 3, 2021.
- Event will only be allowed from 1 PM – 9 PM.
- No music is to be played after 9 PM.
- All guests must be gone by 10 PM.
- A certified peace officer must be present the entire time to monitor the event, and one that is familiar with Habersham County's noise ordinances.

It was seconded by Commissioner Robert Gutowski.

The Planning Commission then voted on the proposal which resulted in a 3-2 vote in favor of denial as seen below.

Commissioner Marquis Arender – Nay, Commissioner D. Higgins – Nay, Commissioner Jason Smith – Nay, Commissioner David Purcell – Yea, Commissioner Robert Gutowski – Yea

Commissioner Bill Gresham did not vote.

V-21-01: Eric & Amanda Sexton are seeking a Variance to allow a swimming pool to be placed in their front yard. The tract is located at 124 S. Quail Trail and is further identified as Map 087A Parcel 091A.

Applicants were out of town for the meeting, but were given the chance to remote in. We were not able to contact them during the meeting.

Commissioner Bill Gresham made a motion to table this proposal until the next Planning Commission meeting.

It was seconded by Commissioner Robert Gutowski.

All were in favor.

V-21-02: Wesley Taylor & Mark Alley are seeking Variances to allow a (11) lot single family subdivision to be developed. It is north of Clarkesville on U.S. Hwy 441. The tract is located on old Clarkesville-Clayton Hwy. and is further identified as Map 102 Parcel 235.

Before public discussion was made, the Planning Commission gave the applicants an opportunity to present the proposal that was submitted. Mr. Bill Gresham, the agent for the applicants, made the presentation. Mr. Gresham said the property was in a great location, with great views, and had a lot going for it. He mentioned that the idea was to allow only 11 lots. He also recommended having an H.O.A. Mr. Gresham was aware that to make all this possible there were improvements that needed to be made, especially the roads.

Some residents from the neighborhood attended the meeting as well to hear the proposal. The following people made statements at the meeting expressing their concerns.

Mr. Richard Turpin, 180 Lion Heart Lane

Mr. Corbett Kloster, 235 Hollywood Hwy

Mr. Brian Patterson along with his wife Ashley Patterson, 296 Lion Heart Lane

Some of the concerns mentioned in the meeting are shown below.

- Concern about erosion problems if the road is widened too much.
- Public safety issues from traffic due to existing poor visibility pulling on to Hwy 441.

The Planning Commission then turned it back over to Mr. Gresham to see if had a response to the concerns brought up by those that spoke in the meeting. Mr. Gresham replied that all the concerns that were mentioned had been considered during the layout of this proposal. He said that he knew many from the neighborhood and that he tried to take that into consideration on their behalf as well when putting this proposal together.

After Mr. Gresham spoke, Commissioner D. Higgins then closed public comments.

A motion was then made by Commissioner Jason Smith to approve V-21-02 with the following conditions.

- The road needs to have a 60' r/w instead of 40' with a minimum 20' roadbed and a 16' paved surface.
- A front setback of 25' will then be allowed.
- There will be no access granted are available into Cumberland Dr. or Lion Heart Lane.

It was seconded by Commissioner Marquis Arender.

The Planning Commission then voted on the proposal which resulted in a 4-1 vote in favor of approval as seen below.

Commissioner Marquis Arender – Yea, Commissioner D. Higgins – Yea, Commissioner Robert Gutowski – Yea, Commissioner Jason Smith – Yea, Commissioner David Purcell – Nay

Commissioner Bill Gresham recused himself due to being the representation of the applicants.

OLD BUSINESS:

None

REPORTS TO COMMISSION:

None

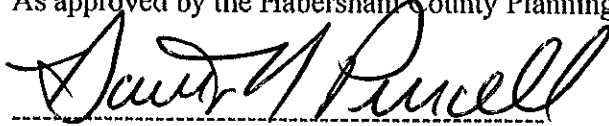
ADMINISTRATIVE MATTERS:

None

ADJOURNMENT:

Meeting adjourned at 7:50 PM.

As approved by the Habersham County Planning Commission:



Executive Secretary

24 May 2021
Date