

HABERSHAM COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: Conditional Use Application SUP-26-01 – Diesel Repair Rural Business

DATE: October 8, 2026

☒ **RECOMMENDATION**

☐ **POLICY DISCUSSION**

BUDGET INFORMATION: N/A

☐ **STATUS REPORT**

~~ANNUAL-~~

☐ **OTHER**

~~CAPITAL-~~

COMMISSION ACTION REQUESTED ON: October 19, 2026

PURPOSE: Make a recommendation to the Board regarding application SUP-26-01: Austin Fox is seeking a Special Use Permit for a light duty diesel repair shop rural business at 551 Fairview School Road, map parcel 022 094 (8.94 acres), in the RR, Rura Residential District.

BACKGROUND / HISTORY:

1. This property is currently used as a single-family residential property with the business located in an adjacent building in front. The applicant built the home in 2025 and resides there.
2. The applicant previously had his business in a commercial building but moved it to this location when the house was built. Code Enforcement received a complaint about the business being run at this location.
3. The applicant has stated there will be approximately 5 to 10 vehicles worked on per week. All repair work will be contained within the building and any fluids and parts will be contained in the building and disposed of in accordance with the law. The repairs will be trucks no larger than a 5500, these are the large diesel pickups. There will be no semis or box trucks worked at the business.
4. The shop building is located approximately 230' from the right-of-way line of Fairview School Road. There is an approximately 50' X 70' concrete apron fronting the building.
5. There were two citizens speaking against the request. Both live in Fairview Meadows Subdivision south of the property. Their concerns were a possible loss of property values, effect it may have on the rural nature of the area, and excessive noise and traffic.
6. There was one comment in favor expressing support of allowing the business and expressing support of anyone willing to make a living. The applicant did submit a petition signed by ten (10) of his neighbors in support of his request.
7. The Planning Commission discussed placing a limit on the number of vehicles, requiring a privacy fence, or limiting business hours. However, in the end they voted to approve the request with no conditions.

FACTS AND ISSUES: The Planning Commission forwards this application to the Board with a recommendation of Approval.

OPTIONS: The Board of Commissioners could act on this application as follows:

1. Approval of the request as recommended by the Planning Commission;
2. Denial of the request; or
3. Commission defined alternative.

RECOMMENDED SAMPLE MOTION: I motion to approve SUP-26-01 as recommended by the Planning Commission.

DEPARTMENT:

Prepared by: Mike Beecham

Director _____

**ADMINISTRATIVE
COMMENTS:** _____

County Manager

DATE: _____



HABERSHAM COUNTY
GEORGIA | Est. 1818

HABERSHAM COUNTY

Planning & Development Department

130 Jacob's Way, Clarkesville, GA 30523

706-839-0140 www.habershamga.com

Habersham County Planning Commission Special Use Staff Report

APPLICATION NUMBER: SUP-26-01

REQUESTED ACTION: Austin Fox is seeking a Special Use Permit to be allowed to run a rural business on his property that will include a light duty diesel repair shop. The tract is located at 551 Fairview School Rd. and is further identified as Map 022 Parcel 094.

Synopsis: Initial inquiry regarding this was addressed when applicant came in to discuss future plans of the property and the opening of a light duty diesel repair shop.

PETITIONER: Austin Fox.

PROPERTY OWNER: Austin Fox.

EXISTING USE: Residential.

PROPOSED USE: Light Duty Diesel Repair Shop.

LOCATION: 551 Fairview School Rd.

PARCEL(S) SIZE: 8.94 acre(s).

MAP# 022 PARCEL# 094

EXISTING & FUTURE LAND USE DISTRICT:

	Current Zoning District	2029 Future Land Use Designation
Parcel	RR	Rural
North	RR	Rural
South	RR	Rural

MEETING DATES: Planning Commission: October 6, 2026

Board of Commissioners: October 19, 2026

PLANNING ANALYSIS:

1. The existing land uses and zoning classification of nearby property;

The current zoning classification of this parcel is RR – Rural Residential. The current land use is Rural as well as adjoining properties.

2. The suitability of the subject property for the zoned purposes;

The property is designated as RR – Rural Residential. This district provides for detached single-family residential development at varying scales, but not to exceed lower densities, together with such other accessory uses as may be necessary to and compatible with low density residential surroundings

3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions;

It is the intent of the Special Use Permit to permit to allow specific uses compatible with a residential area. The process will assist in determining the need for buffers, parking, hours of operation and other concerns that may be presented.

4. The extent to which the diminution of property values of the subject property promote the health, safety, morals or general welfare of the public;

Property values are not diminished by the current zoning.

5. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;

A light duty diesel repair shop could be a hardship to the community if not used within certain guidelines.

6. Whether the subject property has a reasonable economic use as currently zoned;

Property does have a reasonable economic use within the RR District.

7. Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property;

The compatibility of the proposed use with adjacent properties is critical. Specific criteria will need to be addressed such as hours of operation, capacity, noise, sanitation, buffers, etc., to promote harmony and balance in an existing rural neighborhood.

8. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;

The existing land use patterns in the area is primarily rural. However, during certain times, an increase in traffic, noise, etc. may be an issue that needs to be addressed.

9. Whether the zoning proposal is in conformity with the policies and intent of the land use plan;

The Comprehensive Plan identifies this area as Rural. The scope of the proposed use will support compatibility and balance if certain criteria is met.

10. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The increase of noise and traffic could possibly be an issue to the neighborhood.

11. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

The balance of the above mentioned issues at this location are essential to maintaining the integrity of the Comprehensive Plan. The proposed use may need to have restrictions placed upon it to support harmony and balance in this rural neighborhood.

Staff Recommendation:

The Special Use Permit request is to be allowed to operate a light duty diesel repair shop on their property. The applicant plans for the hours of operation to be Monday – Friday 8am – 5pm. There will be occasional days where stuff will need to get done but no later than 8pm for the business. This will be a full-service light duty repair shop with occasional performance and accessories including but not limited to lifts, wheels, tires, etc., and nothing bigger than a 5500 and no semi's. In your packet you will see some correspondence from some in the neighborhood. Most have no problem with the business there but would like to see certain restrictions and or conditions placed on the proposal that will safeguard against excessive traffic, noise, & clutter. Installing a privacy fence could also be helpful to deter some of these concerns. Staff feels if the above issues are addressed it will help preserve the residential and rural character of the area. Therefore, Planning Staff recommends **approval** of SUP-26-01.

Staff recommends:☒ Approve as Submitted☐ Denial☐ Approval with Conditions☐ Table**Planning Commission recommends:**☒ Approve as Submitted (10-6-26)☐ Denial☐ Approval with Conditions☐ Table**Board of Commissioners Decision:**☐ Approve as Submitted☐ Denial☐ Approval with Conditions☐ Table



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APPLICATION TYPE; Variance: _____ (special use) Conditional Use: ☒ Map Amendment: _____

[Check ☒ appropriate application(s)]

PLEASE BE ADVISED THIS FORM IS PUBLIC INFORMATION

Applicant / Primary Contact Austin Fox
Address 551 Fairview School Rd City Demoest State GA Zip 30535

Telephone # () 678 997 9897 Cell Telephone # () _____

Fax# () _____ E-Mail foxaustin50@yahoo.com

Property Owner(s): Austin Fox

Address 551 Fairview School Rd City Demoest State GA Zip 30535

Telephone # () 678 997 9897 Cell Telephone # () _____

Fax# () _____ E-Mail _____

Agent: _____

Address _____ City _____ State _____ Zip _____

Telephone # () _____ Cell Telephone # () _____

Fax# () _____ E-Mail _____

Location of Property: Habersham GA (Demoest)

Street Address: 551 Fairview School Rd

Acreage of Site: 8.97 Tax Map & Parcel#: 022 094

Existing LU District: _____ 2029 Map /District: _____

Action Requested: ~~Change Use of~~ ^{to} Zoning (SUP for rural business)

Cite Pertinent Section(s): _____

Existing Use: Home & Shop

Proposed Use: light Duty Diesel Shop

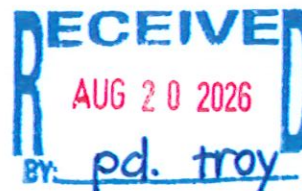
(A metes and bounds legal description may be required. Also attach a boundary survey of the property if available.)

\$300

8/25/26

PC-10/6

BOC-10/9





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CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Required For All Applications Regarding the Comprehensive Land Development Resolution

Disclosure of Campaign Contributions:

When any application is made for a Public Hearing with regards to the Comprehensive Land Development Resolution within two (2) years immediately preceding the filing of the applicant's application for public hearing, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing body of the respective local government showing:

- (1). the name and official position of the local government official to whom the campaign contribution was made; and
- (2). The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for public hearing and the date of each contribution; and
- (3). The disclosure shall be marked by the **applicant, property owner, or person representing the property owner** and shall be filed within ten (10) days after the application for Public Hearing is first filed with the Planning Staff. If the disclosure is not provided to the Planning Staff within said 10 days, the application shall be removed from the scheduled agenda.

I hereby certify that I have ____; I have not ☒; (please $\checkmark$ one) read the above and that:

Within the two (2) years immediately preceding this date, I have; _____ I have not ____; (please $\checkmark$ one) made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

If you have made such contributions, you must provide the data required below within 10 days of filing this application.

Name of Official(s)	Office	Amount	Date of Contribution
Austin Fox			

Applicant's Name (Please Print)	
Austin Fox	
Signature of Applicant	Date of Signature
	8 / 20 / 26



HABERSHAM COUNTY

Planning Department

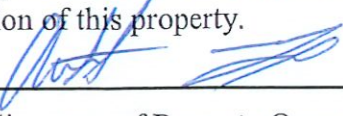
130 Jacob's Way, Suite 104, Clarkesville, GA 30523

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PROPERTY OWNER'S CERTIFICATION

I hereby certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed below is authorized to act as the applicant and/or agent in the pursuit of the proposed application of this property.



Signature of Property Owner/Executor/Officer

8 / 20 / 26

Date of Signature

Estate /Company /Corporation

Authorized Agent (Please Print)

Signature of Authorized Agent

 / /

Date of Signature

Estate /Company /Corporation

Authorized Agent (Please Print)

Signature of Authorized Agent

Date of Signature

NEIGHBORHOOD SUPPORT PETITION

Fox Diesel Services — 551 Fairview School Road, Demorest, Georgia

To the Habersham County Board of Commissioners:

We, the undersigned residents and property owners of the surrounding area of 551 Fairview School Road, Demorest, Georgia, are aware of the operation of Fox Diesel Services, a light-duty diesel repair business operated by the property owner.

We understand that the owners are seeking approval from Habersham County to obtain the appropriate Special/Conditional Use approval to allow Fox Diesel Services to continue operating at this location.

By signing below, we are expressing that we do not object to Fox Diesel Services continuing to operate at 551 Fairview School Road and that we support the owners' request to obtain the appropriate county approval for the business.

Our signatures represent our own personal opinions regarding the continued operation of the business at this location. We understand that the County will make the final decision regarding the requested use.

Name	Property Address	Signature	Date
Chantrel Thomas	511 Fairview School	C. T.	10/4/26
Christi Thurmond	Road 458 Fairview		10/4/26
Mallory Hensel	1155 Sweetwater Rd Demorest, GA	Mallory Hensel	10/4/26
Boggs Grizzle	668 Dixon Rd	Boggs Grizzle	10-5/26
David Adams	604 Dixon Rd	David Adams	-10-5/26
David Moss	169 McIntire Rd	David Moss	10/6/26
David Moss	226 McIntire Rd	David Moss	-10/6/26
Cheyenne Hill	608 Dixon Rd	Cheyenne Hill	10/6/26
Joel Hill	608 Dixon Rd	Joel Hill	-10/6/26
Turner Bentley	1003 Dixon Rd	Turner Bentley	10/6/26

Troy Dills

From: austin fox <foxaustin50@yahoo.com>
Sent: Thursday, September 17, 2026 10:44 AM
To: Troy Dills
Subject: Fox diesel services

[CAUTION: This message originated from outside of the Habersham County email system. -- Please exercise caution before clicking links, opening attachments, replying, or providing information to the sender.]

Caution! This message was sent from outside your organization.

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Hours of operation m-f 8-5 (do have days we have to get stuff done but not later than 8pm for the business)

Full service Light duty diesel repair shop with occasional performance snd accessories (lifts wheels tires etc) and nothing bigger than a 5500 (no semis)

[Sent from Yahoo Mail for iPhone](#)

APPLICATION SUP-26-01
CONDITIONAL USE FOR 551 FAIRVIEW SCHOOL ROAD
COMMENTS AND CONCERNS
Tina Hawkins
209 Fairview Meadows Dr

September 12, 2026

Mr. Troy Dills
Assistant Director
Habersham County Planning and Development

As a neighbor to the property requesting conditional use under application SUP-26-01, I respectfully ask the Planning Commission to approve the request only if conditions are included to limit additional traffic, reduce noise, and preserve the residential and rural character of the area.

This area is primarily residential and rural, with many homes and minimal traffic beyond residents. The recent change to the BOE Fairview School building for Fire/EMT training has already created a minor increase in traffic, which I do not object to, but I ask that it be considered as part of the overall impact on the neighborhood.

My concerns are focused on traffic, noise, and aesthetics. This is not a concern for what might happen, this has been the reality since late 2025 when operations appeared to have begun. I do not object to someone having their own business; in fact, I applaud that effort. However, I ask that consideration be given to the surrounding neighbors and that the Commission include the following conditions in its decision process:

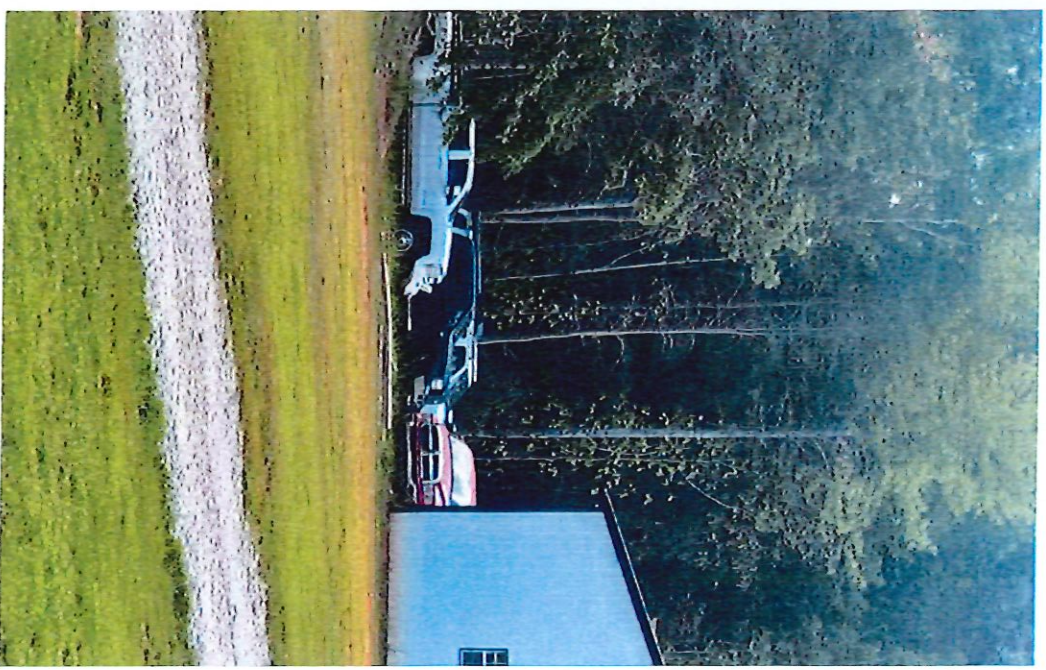
- Limit the hours of operation to reduce additional traffic and noise during early morning, evening, and weekend hours.
- Require any trucks, trailers, equipment, or vehicles stored outside the garage to be screened from neighboring property and the road by a buffer of trees and privacy fencing.

Thank you in advance for your consideration.
Tina Hawkins
Fairview Meadows resident

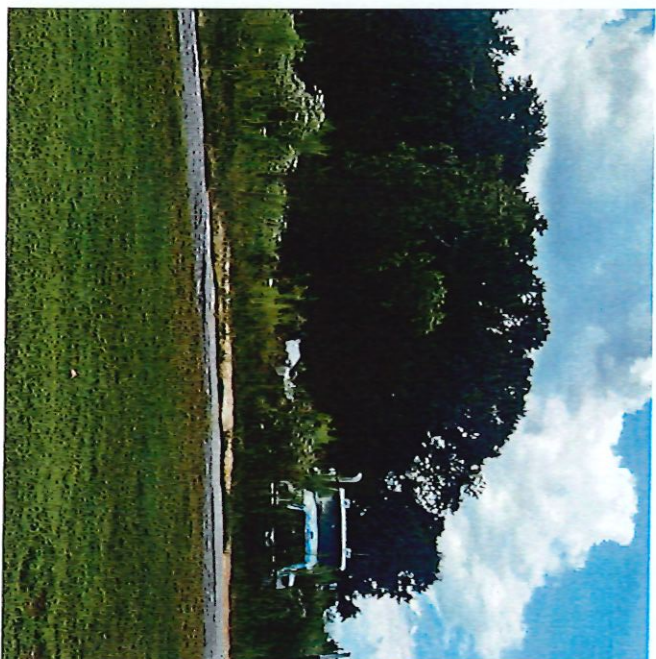
859 339 7502 

Hawkster3@yahoo.com 





551 Fairview School, taken from the road on Sep 11



Do not want it to turn into an unsightly mess like this on **Parcel ID 022-099**
Fairview School Rd. just two properties down from 551 Fairview.