

Morgan County Planning Commission

Minutes
Regular Meeting
May 26, 2016
7:00 p.m.

PRESENT: Brian Lehman, Dennis Myers, Starr Sheppard, Connie Booth, John McMahon, Faye Craft, Joe Cardwell, Scott Campbell, Maryann Dartnell, Wes Holt
ALSO PRESENT: Tara Cooner, Philip Clack, Members of the public

PUBLIC HEARING

ADMINISTRATIVE BUSINESS:

I. Acceptance of Minutes from April 22, 2016 work session.

Motion: Mr. McMahon made a motion to approve the April 22, 2016 Minutes as presented.

Second: Mr. Meyers

Vote: 5:0 The vote to approve the April 22, 2016 Minutes as presented was unanimous.

Ms. Craft, Mr. Cardwell, Mr. Holt and Mr. Campbell abstained from the vote.

II. Acceptance of Minutes from April 28, 2016 regular meeting.

Motion: Mr. Campbell made a motion to approve the April 28, 2016 Minutes as presented.

Second: Mr. Cardwell

Vote: 5:0 The vote to approve the April 28, 2016 Minutes as presented was unanimous.

Mr. Holt and Ms. Dartnell abstained from the vote.

III. Staff Report on prior zoning actions.

Tara Cooner provided an update on the actions of the Morgan County Board of Commissioners.

UNFINISHED BUSINESS:

There is no unfinished business.

NEW BUSINESS:

Wes Holt recused himself and left the room. The Chairman explained the reason for the recusal.

- I. Donald and Julie Parsons are requesting Conditional Use approval to operate an Event Facility on 58 acres located at 1370 Shepherd Road (Tax Parcel 018-022B).

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Ms. Cooner presented the staff report and reviewed the proposed location, distances to neighboring residences, comparisons to existing event facilities in the county, and water resources on the property. She stated that the Chief Tax Assessor had researched property valuation around the existing facilities and found there was no adverse affect. She explained that the property was in the conservation use tax program and the state did not consider weddings to be a breach of covenant. She stated that rumors had been circulating that the proposed project was a commercial or industrial use, but both the county and state considered barn weddings to be an agricultural use.

No one spoke in favor of the application. The applicants offered to answer questions for the Planning Commission after the opposition had spoken.

Leigh Roberts, 1081 Shepherd Road, spoke in opposition and explained that he had moved from Gwinnett County seeking a quiet area. He described his concerns regarding noise, light visibility, wildlife impact, road conditions, bicyclists, and traffic issues. He expressed doubts regarding the zoning ordinance and county staff reliability.

Alicia Portwood, 1240 Shepherd Road, spoke in opposition and stated that the conditional use application was impractical and foolish. She expressed doubts regarding whether the venue was needed and explained her fears about traffic, alcohol consumption and noise. She stated that she believed the proposed project would encourage commercial development and directly accused Planning Director Chuck Jarrell of dishonesty.

Joseph McGovern (aka Cody Marshall), 2501 Doster Road, spoke in opposition and expressed his fear that the proposed project would ruin the quiet of the area. He described his background in entertainment and gave examples of past experiences dealing with music venues.

Brandon Sampson, 1241 Shepherd Road, asked Mr. McGovern about noise projection, who responded that outside noise could travel up to a mile.

Tony Green, 1381 Shepherd Road, spoke in opposition to the application and expressed his opinion that the proposed use was not a good fit with the neighborhood. He stated that his house was directly across from the proposed project's driveway and described the event venue as negative and drastic. He stated that he wanted no change in the neighborhood.

Jim Green, Shepherd Road, spoke in opposition and stated that he lived across Shepherd Road from the existing house on the subject property and that car headlights would shine on his house. He expressed concerns regarding possible signage at the event venue and traffic.

Justin Howard, 1220 Shepherd Road, spoke in opposition to the application and described concerns regarding the condition of Shepherd Road, including the width and speed limit.

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Debbie Howard, 1220 Shepherd Road, spoke in opposition to the application and stated that the proposed location was directly behind her home and that she would hear noise from the venue. She expressed doubt in Staff's presentation regarding light visibility and stated that the light would be in her bedroom window, particularly in winter.

Shawn Browder spoke in opposition and stated that he owned the parcel adjacent to the Howards. He expressed doubt in Staff's presentation regarding property valuation and stated he would not have purchased the land if he had known about the event venue.

Ken Welch spoke in opposition and stated that he owned the parcel adjacent to Mr. Browder. He stated that he was moving from Newton County and that the event venue would ruin the Shepherd Road area.

The Chairman assured the audience that the area would not become something similar to Rockdale County or Newton County.

Edith Shedd spoke in opposition and explained that she did not live in Morgan County but owned 162 acres on Shepherd Road. She stated that the proposed venue would negatively affect the area's wildlife and advised the Planning Commission to give proper thought to the environment.

Don Shedd spoke in opposition and tasked the Planning Commission with protecting the health and safety of the residents on Shepherd Road. He stated that traffic, including recreational vehicles, would cause congestion and damage health and safety.

Jenny Bannister-Willett spoke neither in favor nor in opposition, stating that she owned a parcel on Shepherd Road. She stated that the opposition was not thinking about the possibility that future neighbors could be unclean or that unfavorable agricultural uses could be placed on the property.

Suzanne Krone, 1591 Shepherd Road, stated that she was concerned about the traffic an event venue would bring, but had just learned that new houses were proposed to be built, so additional traffic was coming anyway.

Leigh Roberts made an additional comment about property sales in the area.

Don and Julie Parsons, applicants, offered to answer questions for the Planning Commission. They confirmed that the sale of the property was contingent on the conditional use approval and that their business analysis called for 25-30 wedding events per year. They explained that they were amenable to outdoor ceremonies, but that receptions would be held inside. The Parsons stated that they would be on-site during events and may possibly construct a home on the property at a later date. The Planning Commission confirmed that a caterer would be used to handle alcohol. The applicants explained that the negativity portrayed by the opposition was not what they intended and that they wanted to create a facility that was a benefit to the area.

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The Planning Commission discussed the concerns offered by the opposition versus the criteria for consideration. Mr. Campbell noted that Criteria 2 and 6 could be potential issues, but Mr. Cardwell pointed out that the current application met the criteria better than other event facilities that had been approved in the past. The Chairman warned the Planning Commission against doomsday scenarios. Ms. Booth concurred and stated that the standards must be followed.

Motion: Ms. Booth made a motion, citing criteria compliance, to recommend approval of the conditional use permit to allow an event facility at 1370 Shepherd Road.

Second: Mr. Cardwell

Vote: 3:5 The vote to recommend approval of the conditional use to allow an event facility at 1370 Shepherd Road did not pass. Mr. McMahon, Mr. Myers, Ms. Craft, Ms. Sheppard and Mr. Campbell dissented.

Motion: Mr. McMahon made a motion to recommend denial of the conditional use permit to allow an event facility at 1370 Shepherd Road.

Second: Mr. Campbell

Vote: 5:3 The vote to recommend denial of the conditional use to allow an event facility at 1370 Shepherd Road was approved. Mr. Cardwell, Ms. Booth and Ms. Dartnell dissented.

Mr. Holt returned to the table.

- II. Eddie Florence is requesting Conditional Use approval to operate an Agriculture-Related Business to sell farm equipment on 16.13 acres located at 4030 Athens Highway (Tax Parcel 024-008).

Ms. Cooner presented the staff report and noted that the applicant was not present. The Planning Commission stated that the applicant was needed to answer questions in order for them to make an informed decision.

Motion: Ms. Booth made a motion to table the application for a conditional use to operate an Agriculture-Related Business at 4030 Athens Highway until the June regular meeting.

Second: Mr. Myers

Vote: 8:0 The vote to table the application for a conditional use to operate an Agriculture-Related Business at 4030 Athens Highway until the June regular meeting was approved.

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ADJOURNMENT

The Chairman called for a motion and second to adjourn the meeting.

Motion: Ms. Booth made a motion to adjourn the meeting.

Second: Ms. Craft

Vote: 8:0 The vote to adjourn the meeting was unanimously approved.

Brian Lehman
Brian Lehman, Chairman

Date 6/23/2016

Tara Cooner
Tara Cooner, Secretary

Date 6-23-16

