

**HARRIS COUNTY PLANNING COMMISSION
REGULAR SESSION**

December 19, 2018
7:00 PM

Board Members Present: John Britt, John Brent, Chad Kimbrough, Chris Lintner, Ken Napier. Board Members Absent: Chance Carlisle, Matthew Newberry. Staff Present: Brian Williams, Community Development Director, Nancy McMichael, Recording Secretary.

1. **CALL TO ORDER.** Chairman Britt called the meeting to order
2. **MINUTES.** The motion to approve the minutes of the November 21, 2018 Regular Session was made by Mr. Napier, seconded by Mr. Lintner, and passed with four in favor (Napier, Lintner, Brent, Kimbrough), no opposition, and one abstention (Britt, who was not in attendance during the November meeting).
3. **OLD BUSINESS**
 - A. **Decision of Harris County Board Commissioners.** The following action was taken by the Board of Commissioners on December 4, 2018:
 - (1) Application of Claude G. Scarbrough, III, for Special Use Permit for Commercial Hunting, Fishing & Lodging up to 8 bedrooms, on 464.17 acres of Land Lots 31, 32, 37, 38, 65 & 66, Land District 4, Map 039, Parcels 039 & 046A; current use agricultural, farming, timber and leisure; proposed use commercial hunting and fishing and lodging up to 8 bedrooms; property located at 7729 Hamilton Pleasant Grove Road, Pine Mountain, and zoned CORD (Commercial Outdoor Recreation Development). Approved unanimously with conditions: (1) allow commercial hunting and fishing; (2) allow up to eight (8) bedrooms for lodging; (3) not allow commercial skeet and trap; (4) lodging is limited to no more than seven (7) consecutive days per paid guest; (5) no artificial lighting or shooting after dark; and (6) 100' undisturbed vegetative buffer around perimeter of property.
 - (2) Application of Claude G. Scarbrough, III, for Special Use Permit for Private Kennel on 2.00 acres of Land Lot 32, Land District 4, Map 039, Part of Parcel 046A; current use agricultural, farming, timber and leisure; proposed use private kennel; property located at 7729 Hamilton Pleasant Grove Road, Pine Mountain, and zoned A-1 (Agricultural/Forestry). Approved unanimously.
 - (3) Application of Harris County Planning Commission to Amend the Text of the Zoning Ordinance, Articles II, IV and V, for the revision of the Sign Ordinance. Public hearing held and closed. Action tabled to January 15, 2019.
4. **NEW BUSINESS**
 - A. **Kimberly Whitaker: Appeal of Administrative Decision of Brian Williams, Community Development Director, to deny the subdivision of 22 acres into 10 parcels/lots on Map 030, Parcels 097, 104, 105, 106 and 204, Land Lots 145 & 146, Land District 19, and located on GA Hwy 315 and Whitaker Drive.** Kimberly Whitaker, family representative, appeared before the Commission and said that her grandmother died in 2001 and left the property, via a deed, to 10 children, who are now elderly, and they would like to be able to pass their share of the property down to their children. Ms. Whitaker said that her father had already given her his share of the property a few years ago and that she wanted to make sure

everyone got their share. Brian Williams, Community Development Director, said that he had denied the request to subdivide the property among immediate family members because the number of lots exceeds six and the size of the lots is less than five acres, both of which are requirements under Subdivision Regulations Article XVII, Section 1704, (a) Immediate Family. He said that he had discussed the issue with the County Attorney who indicated that it was proper for him to disapprove the request and for the applicant to appeal the decision, and that should the Commission approve the request the stipulation, as provided for in the ordinance, that the lots shall not be for resale or speculation upon completion of a dwelling and shall not be further subdivided for a period of five (5) years, should be indicated on the plat. Following discussion, the motion to overturn the administrative decision and allow the subdivision of the property into 10 parcels as shown on the plat, with the appropriate notation to be included regarding the five-year restriction, was made by Mr. Kimbrough and seconded by Mr. Lintner. Ms. Whitaker questioned the stipulation and indicated she was unhappy with same. Discussion took place regarding the stipulations, to include that they would have applied had the subdivision of the property met all the requirements of the ordinance. The motion passed four in favor (Kimbrough, Lintner, Brent, Napier) and one opposed (Britt).

5. **ADJOURNMENT**. There being no further business, the motion to adjourn was made by Mr. Kimbrough, seconded by Mr. Lintner, and passed unanimously.

John Britt, Chairman

Prepared by:

Nancy McMichael, Recording Secretary