

**HARRIS COUNTY PLANNING COMMISSION
REGULAR SESSION**

July 15, 2020
7:00 PM

Members Present: John Britt, Chris Lintner, Paul Dasher, Bobby Irions. Members Absent: John Brent, Chance Carlisle, Matthew Newberry. Staff Present: Brian Williams, Community Development Director; Anna Johnson, Planner; 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 May 20, 2020, Regular Session was made by Mr. Irions, seconded by Mr. Lintner, and passed unanimously. (There was no meeting in June due to lack of quorum.)
3. **DECISIONS BY BOARD OF COMMISSIONERS of June 16, 2020**
 - A. **Application of Michael Fuson to Rezone 0.88 acres** on Map 085, Part of Parcel 095; LL 114, D 18, from A-1 (Agricultural/Forestry) to C-4 (Highway Commercial); current use gravel parking area and green space; proposed use gravel parking area and storage for commercial use; property located at 7355 GA Highway 85, Waverly Hall. Decision: Unanimous approval
 - B. **Application of Edgar Hughston Builder, Inc., to Rezone 58.4 acres** on Map 084, Part of Parcel 112A004, LL 98, LD 18, from A-1 (Agricultural/Forestry) to R-1 (Single Family Residential); current use timber land; proposed use single family homes; property located on Abberly Lane, Ellerslie. Decision: Unanimous approval
 - C. **Application of Verizon Wireless/Lance Rucker for Special Use Permit** for a Cellular Communications Tower on a 100' x 100' compound located on 51.7 acres on Map 079, Parcel 011, LL 13, LD 21, located at 285 Harris Road, Ellerslie, and zoned A-1 (Agricultural/Forestry). Decision: Unanimous approval.
4. **NEW BUSINESS**
 - A. **Preliminary Plat Renewal: Fortson Creek Subdivision, 12 Lots; Donald Bowles, Developer.** Donald Bowles, developer, appeared before the Commission and said that there have been no changes from the original Preliminary Plat and that they are just waiting on the Health Department. There being no questions or comments, the motion to approve this Preliminary Plat renewal was made by Mr. Lintner, seconded by Mr. Dasher, and passed unanimously.
 - B. **Preliminary Plat Renewal: Hudson Meadow Subdivision, Section II, 23 Lots; Edgar Hughston Builder, Inc., Developer.** Edgar Hughston, Developer, appeared before the Commission and said that there have been no changes from the original Preliminary Plat, and that they are waiting on the Health Department. There being no questions or comments, the motion to approve the Preliminary Plat renewal was made by Mr. Lintner, seconded by Mr. Dasher, and passed unanimously.
 - C. **Preliminary Plat: Abberly Lakes, Phase 7, 19 Lots; Edgar Hughston Builder, Inc., Developer.** Edgar Hughston, Developer, appeared before the Commission and said that this phase is similar to the rest of the neighborhood. Mr. Irions said that he was concerned about the long, skinny lots as well as with the two ponds. In response, Mr. Hughston said that the lots meet County requirements and are at least two acres each. There being no further questions or comments, the motion to approve the Preliminary Plat was made by Mr. Lintner and seconded by Chairman Britt. The vote was a tie. Mr. Hughston was advised to resubmit the plat either as is or with changes.

- D. **Preliminary Plats for Coca Lake Subdivision, Cataula; Harris Developers, LLC, Developers. (1) Second Addition to Section Nine, 5 Lots; north end of Red Fox Court; (2) Second Addition to Section Ten, 19 Lots, south end of Pinewood Way; (3) Section Two, Mountain Lake Addition, 5 Lots, south end of Mountain Lake Court; and (4) Section Five, Mountain Lake Addition, 10 Lots, west end of Sweetwater Drive.** Mr. Irions recused himself from discussion and vote because he lives in Coca Lake Subdivision. Anthony Slaughter, representing Moon Meeks, appeared before the Commission and said that the plats are the same as they were in 1980; that the developer desires to go ahead and build out/finish the subdivision. In response to questions, Mr. Slaughter said that the homes would be the same as the existing homes with the same covenants. There being no further questions or comments, the motion to approve all four Preliminary Plats was made by Mr. Linter, seconded by Mr. Dasher, and passed with three in favor (Lintner, Dasher, Britt), no opposition, and one abstention (Irions).

5. **PUBLIC HEARING @ 7:15 PM**

- A. **Explanation of Public Hearing.** Chairman Britt explained the Public Hearing procedures.
- B. **Application of Harris County Board of Commissioners to amend the Zoning Ordinance, Article IV, Section 2, Page CDA:26, to add Winery as a category (#151) in the matrix.** Chairman Britt called the Public Hearing to order and read the specifics of the application. Nancy McMichael, County Clerk representing the Board of Commissioners, explained the Board had amended the Alcohol Ordinance to allow Wineries, and in doing so an amendment to the Zoning Ordinance is needed to add such to the matrix; that Wineries will be allowed to apply for Special Events Facilities so proposed item “B” will not be necessary; and that parking should be added, possibly one space for every 300 square feet. There being no questions or comments, the motion to recommend approval, as recommended with changes (delete “B” and add 1-300 SF), was made by Mr. Irions, seconded by Mr. Lintner, and passed unanimously.
- C. **Application of Five Ears Land Co./Elizabeth Ogie (property owner), for a Special Use Permit for a Group Home on 175.18 acres of property on Map 068, Parcel 015, Land Lot 9, Land District 21, located south of intersection of Georgia Highway 208 and Harold Williams Road, Hamilton, and zoned A-1 (Agricultural/Forestry).** Chairman Britt called the Public Hearing to order and read the specifics of the application. Bob Kidd, representing the applicant, appeared before the Commission and said that the intent is to construct a therapeutic treatment home for sexually abused girls, ages 12-17; that the acreage was chosen in order to provide buffer on all sides; that plans are to construct a 12-bedroom home to house 12 girls; that there will be 24/7 staff on duty with more during the day and at least two (2) at night; that staff is not live-in; that the night shift staff will not sleep, but stay awake, and perform bed checks every 15 minutes during the night; that there will be a social worker on site as well as a therapeutic psychiatrist; that plans are to develop only 3.5 acres of the property for the home, driveway, and possibly garden sites; that there will be no advertisement or sign showing the location; that the home must follow the strict State guidelines regarding such homes; that there will be no medical service on site; that the girls would not be attending local schools but would be schooled via electronic means from another source. In response to questions, Mr. Kidd said the property will be fenced and electronically monitored for security purposes; that there will always be at least two staff on site; that the conceptual plan will be finalized if the application is approved; that they plan to leave as much natural vegetation as possible to avoid disruption to the natural area; that it will be called Girls Rise Academy; and that it is a non-profit organization. There being no further comments or questions, Chairman Britt asked if anyone wished to speak in favor of the application.

Gene Weldon, citizen and member of the group home board, appeared before the Commission and said that he lives behind the subject property; that the night staff will actually be two (2) staff for every six (6) girls, so if there are 12 girls, there will be four (4) staff members on site; that the facility

will be patterned after two that exist in Fulton and Paulding counties where there have been only two calls for EMS services in the past year; that the house will look like a conventional home, only larger, at 8,000 square feet to accommodate 12 individual bedrooms with private baths; that the site was chosen because it is somewhat secluded and no one would know it was there; that it is non-profit; and that having a local facility would prevent having to send girls who have been traumatized to Atlanta.

Joey Loudermilk, citizen of Ellerslie and Juvenile Justice Judge, appeared before the Commission and said that he serves as Judge for juvenile cases for not only Harris County, but also for Talbot, Taylor, Marion and Chattahoochee counties; that he has heard numerous cases involving children, the worst being the sexual exploitation of children, which is a national, state, and county disgrace; that there are 24,534 registered sex offenders in Georgia and 75 of them live in Harris County; that those offenders are just the ones that have been caught and convicted; that children who are sexually abused never get over it; that it is best to provide therapy and counseling; that statistics show that one in four girls and one in six boys will be sexually abused; that such children need loving, caring, Christ-based therapy and having such a facility in Harris County can make a difference in the lives of these children. He urged the Commission to recommend approval of the application.

There being no further comments in favor, Chairman Britt asked if anyone wished to speak in opposition.

Jennie Eckman, citizen who lives on Harold Williams Road, appeared before the Commission and said that while she is sad for the girls and agrees they don't ever get over it, her issue is the amount of land on which they want to place the facility; that they talk about developing only three acres of the 175; that because there will be work shifts, traffic will increase on the road and there have already been a couple of accidents at the intersection.

Rosemarie Cook, citizen who lives nearby, appeared before the Commission and said that the facility sounds like it will be a minimum security facility, like a jail; that the plan is unrealistic; that she and her husband searched for property that was a little remote and quiet; that there is a creek nearby and construction on the subject property would cause water run-off to flood her property; that this is a commercial facility in a residential area; and that she finds it unbelievable that there won't be any issues.

Jimmy Harper, citizen who lives on the west side of the subject property, appeared before the Commission and said that the facility will be right in the middle of a two-mile residential stretch of Georgia Highway 208; that there are about 60 single family homes in the area; that the subject property has 95' of road frontage; that while he doesn't think anyone is against a rehabilitation facility, the problem is the location; that if this is approved, what's to stop someone from putting in a hotel; that having such a facility might have people coming into the county to look for such a facility and go down any of the driveways looking for it; that no one knows anything about it; that the application should not be approved based on a concept design; that the driveway is about 10' off a property line; and that firmer plans are needed before moving forward.

Steve Boykin, citizen who lives nearby, appeared before the Commission and said he retired from the state as a director for a treatment center for teenagers; that building an 8,000 square foot facility with security makes sense; that he is concerned about the next step - if they construct another building, and another and another; and that if approved there should be a stipulation that it is as applied for.

Richard Barfield, citizen who lives on Georgia Highway 208, appeared before the Commission and said that he owns 26 acres; that he is concerned with the possibility of more buildings on the subject property and what will happen in 10-12 years if the facility is no longer there; and that a 12-girl facility is wonderful if that is all it will be.

Katherine Hightower, citizen who lives on Harold Williams Road, appeared before the Commission

and said that she is concerned about her safety; and that if the facility is permitted, she will not feel safe.

Arnold Jackson, citizen who lives on Georgia Highway 208, appeared before the Commission and said that he sympathizes with the situation and that while no one will know it is there, the neighbors will know it is there.

Andrew Jones, citizen who lives nearby, appeared before the Commission and said that coming out of the subject property driveway is unsafe; and that the facility does not need to be in the neighborhood.

Loretta Goodwin, citizen who lives in front of the subject property, appeared before the Commission and said that she feels for the girls and something should be done, but not in the proposed location; that it needs to be where people can see what is going on; and that she does not want it in that location.

There being no further comments, Chairman Britt asked for rebuttal.

In rebuttal, Mr. Kidd said that he understands the concerns; that the plan is to have a large property with a very low impact development; that if permitted, he understands that the permit will be for specifically what has been requested and if anything else is desired, the owner would have to make application for same; that he does not think there is an issue with run-off (of water) because civil engineering must follow strict guidelines and regulations; that the cameras and fence are for the protection of the girls, not about escape, which could be a potential issue; that traffic should not be an issue as there will be no visitors, except in certain circumstances, and only staff would be going in and out; that the facility is designed to be residential in appearance and will look like a large house; and that there will be a low impact on the environment.

Also in rebuttal, Mr. Weldon, who is a board member of the organization, said that some of secrecy involved with the subject is due to the fact that it is a misdemeanor to divulge the location of such a treatment facility; and he doesn't understand why people are upset about a home being built on so much land.

In response to questions from the Commission, either Mr. Kidd or Mr. Weldon said that the exact location of the home will be determined after the soils tests are done and the topography with the intent for a very small impact on the land and in the area that makes the most sense; that in addition to the home, they plan on having the driveway and gardens; that the Sheriff's Office will be able to handle any issues that may arise; that they will be fine with the condition that there only be 12 girls/bed; that if more development is desired, they understand they would have to make an application for same and come back to this Commission; that they plan to have a 100' natural buffer; that the maximum age of the girls will be 17; that while there would be a minimum of two staff members for every six girls at night, there would be more during the day; that arrangement would be made to receive goods since they would not want to allow various trucks/drivers on the property for security reasons; that the two facilities in Paulding and Fulton counties have not had issues for which law enforcement has been needed; that there is a small entrance to the property from the highway; that the Sheriff supports this endeavor; that the State will control placement of the girls in the facility; that this is non-profit and will survive on the generosity of supporters; that visitors will be limited for family but only in certain circumstances; that while the girls will not attend church, they will have church services; and that the State has oversight of the facility, but will be operated by local people.

There being no further comments or questions, Chairman Britt closed the Public Hearing and asked for a motion.

The motion to recommend approval of this Special Use Permit was made by Mr. Lintner, but died for lack of a second.

The motion to recommend disapproval of this Special Use Permit was made by Mr. Irions, seconded by Mr. Dasher, and passed with three in favor (Irions, Dasher, Britt) and one opposed (Lintner).

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

John Britt, Chairman

Nancy McMichael, Recording Secretary