

**HARRIS COUNTY PLANNING COMMISSION  
REGULAR SESSION**

March 16, 2022

7:00 PM

Members Present: John Britt, John Brent, Chance Carlisle, Paul Dasher, Mark Harris, Tommy Hutcherson, Gene Weldon. 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 February 16, 2022, Regular Session was made by Mr. Brent, seconded by Mr. Carlisle, and passed unanimously.
3. **OLD BUSINESS**
  - A. **Decisions by Board of Commissioners of March 1, 2022**
    - (1) Application of Edgar Hughston Builder, Inc., to rezone 67.78 acres on Map 033, Parcel 017, Land Lot 9, Land District 19, from A-1 to R-1, present use timber, proposed use single residential homes; property located on north side of Mountain Hill Road & west of I-185, Fortson. Approved with no conditions by vote of three in favor and two opposed.
    - (2) Application of Edgar Hughston Builder, Inc., to rezone 314.55 acres on Map 033, Parcel 027, Land Lot 10, Land District 19, from A-1 to R-1, present use timber, proposed use single residential homes; property located on north side of Mountain Hill Road & west of I-185, Fortson. Approved with no conditions by vote of three in favor and two opposed.
4. **PUBLIC HEARINGS @ 7:15 PM**
  - A. **Explanation of Public Hearing.** Chairman Britt explained the procedures involved for the Public Hearings.
  - B. **Application of Derek Henderson to rezone 2.0 acres of a 4.15 acre parcel on Map 086A, Parcel 149, Land Lot 2, Land District 22, from C-1 (Central Commercial) to R-1 (Single Family Residential); current use vacant; proposed use to build a residential home; property located at 9763 GA Hwy 85, Waverly Hall.** Chairman Britt called the Public Hearing to order and read the specifics of the application. Derek Henderson, applicant, appeared before the Commission and said that he owns the 4 acres; that there is a shop currently on the property; and that he wants to divide the property so that he can build on the property for his son to live in as security for the property. There being no questions or comments from the Commission, Chairman Britt asked if anyone wished to speak in favor of or in opposition to this application. There being none, he closed the Public Hearing and asked that the Impact Sheets be completed. The motion to approve this rezoning application, which will be next heard by the Waverly Hall Town Council, was made by Mr. Weldon, seconded by Mr. Carlisle, and passed unanimously.
  - C. **Application of Board of Commissioners to Amend the County Code of Ordinances - Appendix A (Zoning Ordinance), Articles I-X; Appendix B (Subdivisions), Articles I-XX; Chapter 4 (Planning and Development), Articles I, II, III, IV, V, VIII, IX; Chapter 5 (Public Safety, Health & Sanitation), Article IV; Chapter 7 (Water, Sewage & Utilities), Article I; and other associated sections of the Code of Ordinances intended to be incorporated into the Unified Development Code (UDC).** Chairman Britt called the

Public Hearing to order and read the specifics of the application. He then asked Lee Walton, consultant with Wood PLC and representing the Board of Commissioners, to review the amendments and to respond to questions. Mr. Walton said that he would be reviewing the revisions that had been made to various articles since the UDC was disapproved by the Board of Commissioners in November 2021, to include Articles 2, 3, 4, 5, 9 and 11. In response to questions from the Commission, Mr. Walton said that minimum lot size for minor subdivisions in A-1 is 10 acres; in a major subdivision in R-1 is 2 acres; and the professional license (for massage therapists) is issued by the State. There being no further questions or comments from the Commission, Chairman Britt asked if anyone wished to speak in favor of the application. There being none, he asked if anyone wished to speak in opposition.

Bradley Jones, state president of the Georgia Home Builders Association, appeared before the Commission and said that the UDC has some good areas, but some areas need to be revisited; that it appears that it will halt growth in the County and hinder access to housing in A-1; that A-1 zoning is vague; that it goes against private property rights and the America dream; and that the document needs to be revisited and revised.

Trent Griffin, partner in Bee Smart Builder, appeared before the Commission and read an excerpt from the November 2 meeting of the Board of Commissioners regarding the need for a work session to further discuss the UDC; referred to the Comprehensive Plan of 2019, on page 6, regarding the update of land use ordinances for the protection of the quality of life, must be clear and easy to navigate, and on page 7, regarding managing growth while protecting natural and cultural resources to encourage commercial, residential and industrial growth, and on page 8, regarding the County's vision statement; said that the UDC does not encourage growth; that it will destroy the tax base and require higher taxes; and the UDC will price potential homeowners out of the ability to live here.

Craig Dowling, former School Superintendent, appeared before the Commission and said that in large planned residential developments of 100 acres or more, lots could be on 1/2 acre, 10% is set aside for commercial, 35% for greenspace and a 100' buffer; that quick development will impact the school system; that multi-units/apartments have transient students but there is no indication as to the number allowed; and that the Commission should consider the impact of the UDC not only on the community but on the schools.

Bryan Stone, of BC Stone Homes, appeared before the Commission and said that requirement of a road in A-1 subdivisions is not a good idea; that he likes the idea of preserving the character of the County, but parts of the UDC are brutal; that the UDC hurts the custom builder; that the County should allow private easement access; that perhaps architectural restrictions should be in place; and that if the UDC is approved, watch for unintended consequences.

There being no further comments, Chairman Britt asked Mr. Walton to respond to the opposition comments.

Mr. Walton said that the road referenced in A-1 would apply if there are more than three lots as it would in any other major subdivision, and is mainly tied to aesthetics and school buses to be able to turn into subdivisions and not impede traffic on the main road. Chairman Britt said that a few years ago he researched student population to building permits issued, and there is no correlation between the two. Mr. Walton continued to respond to questions, to include, that a PRD, which has a 100-acre minimum, must be able to connect to public water and sewer, which limits the location, and requires master plan approval; and that the number of multi-units allowed would be determined by the master plan.

There being no further comments or questions from the Commission, Chairman Britt closed the Public Hearing. In response to questions, Chairman Britt said that the Commission is voting on

the recommendation regarding a document that incorporates the zoning, land use, erosion and sedimentation, into one concise document. Other comments included that the UDC is an improvement over what is currently in place; and that single family building permits have increased from approximately 160 per year to 232 per year in 5 years.

Following discussion, the motion to recommend approval of the UDC as written was made by Mr. Brent, seconded by Mr. Harris, and passed with six in favor (Brent, Harris, Britt, Carlisle, Dasher, Weldon), no opposition, and one abstention (Hutcherson).

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

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John Britt, Chairman

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Nancy McMichael, Recording Secretary