



Lee County - Leesburg - Smithville Planning Commission

JOHNNY GOLDEN, KYLE LUCKIE, MIKE MCVEY, JIM QUINN,
JASON SHEFFIELD, SHIRLEY STILES

MEETING MINUTES
March 2, 2023 at 6:00 P.M.
Opal Cannon Auditorium
T. Page Tharp Governmental Building
102 Starksville Avenue North
Leesburg, GA 31763

Members Present: Johnny Golden, Kyle Luckie, Mike McVey, Jim Quinn, and Jason Sheffield

Members Absent: Shirley Stiles

Staff Present: Christi Dockery, Kaitlyn Good, Meagan Matechak (via phone), and Lee Walton (via phone)

I. CALL TO ORDER

Commissioner Jason Sheffield called the meeting to order at 6:02 p.m.

II. ACKNOWLEDGEMENT OF GEORGIA LAW REGARDING CAMPAIGN CONTRIBUTIONS

County Manager Christi Dockery read the Georgia Law regarding campaign contributions.

III. NEW BUSINESS

(A) Welcome of new members Johnny Golden and Kyle Luckie.

(B) Selection of a Chairperson of the Planning Commission for 2023.

Commissioner Jim Quinn made the **MOTION** to **APPOINT** Commissioner Jason Sheffield as Chairperson of the Planning Commission for 2023, seconded by Commissioner Kyle Luckie. The **MOTION** was unanimous with Commissioners Johnny Golden and Mike McVey voting yea. **Commissioner Jason Sheffield is Chairman of the Lee County - Leesburg - Smithville Planning Commission for 2023.**

(C) Selection of a Vice-Chairperson of the Planning Commission for 2023.

Commissioner Mike McVey made the **MOTION** to **APPOINT** Commissioner Jim Quinn as Vice-Chairperson of the Planning Commission for 2023, seconded by Commissioner Johnny Golden. The **MOTION** was unanimous with Commissioner Kyle Luckie and Chairman Jason Sheffield voting yea. **Commissioner Jim Quinn is Vice-Chairman of the Lee County - Leesburg - Smithville Planning Commission for 2023.**



IV. APPROVAL OF MINUTES

(A) Approval of the minutes from the December 1, 2022 Planning Commission meeting.

Commissioner Jim Quinn made the **MOTION** to **APPROVE** the minutes as presented, seconded by Commissioner Kyle Luckie. The **MOTION** was unanimous with Commissioners Johnny Golden and Mike McVey voting yea.

V. PUBLIC HEARINGS

ZONING APPLICATION

- (A) Starksville, LLC. (Z22-005)** has submitted an application to the Lee County Planning Commission requesting to rezone a total of 36.78 acres. The property owner is Mossy Dell, Inc. and the request includes four (4) tracts, as follows: Tract 1 (3.07 acres) requesting to be rezoned from AG-1 (Active Agricultural District) to C-2 (General Commercial), Tract 2 (4.90 acres) requesting to be rezoned from AG-1 (Active Agricultural District) to R-2 (Multi-Family Residential), Tract 3 (6.79 acres) requesting to be rezoned from AG-1 (Active Agricultural District) to C-2 (General Commercial), and Tract 4 (22.02 acres) requesting to be rezoned from AG-1 (Active Agricultural District) to R-1 (Single-Family Residential District). All lots being part of Parcel Number 037C 276 and Land Lot 83 of the Second Land District, City of Leesburg, Lee County, Georgia.

Chairman Jason Sheffield opened the public hearing at 6:11 p.m. and read the application into the record.

Public Hearing Discussion

Staff Presentation

Meagan Matechak (via phone) summarized the provided staff report, stating staff's recommendation is denial, with an emphasis on runoff concerns and the fact that much of the property is wetlands.

Applicant Presentation

Bobby Donley, Lanier Engineering, summarized the property and application. Mr. Donley also addressed concerns related to the wetlands, stating that precautions have been taken and will continue to be taken.

Public Opposition

George Johnson
Steve Phillips
Coni Grebel
Steve Gross
Dennis Roland
Tommy Clifton

Commission Discussion

Commission members voiced concerns over the application in the following areas: environmental concerns, property values, traffic, and general public safety concerns. Specific concerns discussed



were how the area is mostly wetlands, the amount of water and runoff that already exists in the area and the prospective increase of such once construction begins, current traffic concerns and the potential increase of such during the construction phase as well as once established, and the effect on area property values.

With no further comments or questions from the Commission or audience, the Public Hearing was closed.

Recommendation

Commissioner Jason Sheffield made a **MOTION to APPROVE** the rezoning application from Starksville, LLC. (Z22-005) with the condition that only the tracts to be rezoned to C-2 were approved, seconded by Commissioner Mike McVey. The **MOTION** failed with Commissioners Johnny Golden, Kyle Luckie, and Jim Quinn voting no.

Commissioner Johnny Golden made a **MOTION to DENY** the rezoning application from Starksville, LLC. (Z22-005), seconded by Commissioner Kyle Luckie. The **MOTION** was unanimous with Commissioners Mike McVey, Jim Quinn, and Jason Sheffield voting yea.

CONDITIONAL USE APPLICATIONS

- (B) **Starksville, LLC. (Z23-001)** has submitted an application to the Lee County Planning Commission requesting a conditional use to allow for construction of self-storage units for a total of 6.29 acres. The property owner is Mossy Dell, Inc. and the request includes portions of two (2) of the aforementioned tracts, as follows: Tract 1 (1.83 acres) and Tract 3 (4.46 acres), both having been requested to be rezoned from AG-1 (Active Agricultural District) to C-2 (General Commercial). Both tracts being part of Parcel Number 037C 276 and Land Lot 83 of the Second Land District, **City of Leesburg**, Lee County, Georgia.

Chairman Jason Sheffield opened the public hearing at 7:24 p.m. Commissioner Mike McVey read the application into the record.

Public Hearing Discussion

Staff Presentation

Meagan Matechak (via phone) summarized the provided staff report, stating that the same comments apply to this item and the staff's recommendation is denial.

Applicant Presentation

Bobby Donley, Lanier Engineering, summarized the application and project, noting that this application is really dependent on what the City of Leesburg decides to do about the previous item.

Public Opposition

Coni Grebel

With no further comments or questions from the Commission or audience, the Public Hearing was closed.



Recommendation

Commissioner Jim Quinn made a **MOTION** to **APPROVE** the conditional use application from Starksville, LLC. (Z23-001) should the City of Leesburg grant approval for the previous rezoning application, seconded by Commissioner Mike McVey. The **MOTION** carried with Commissioners Mike McVey and Jason Sheffield voting yea and Commissioner Johnny Golden voting no.

- (C) **Langford & Associates, Inc. (Z23-002)** has submitted an application to the Lee County Planning Commission requesting a conditional use to allow for construction of a residential dwelling. The property owner is Stuart Franklin and the Parcel Number is 042 004. The lot is a total of 6.201 acres and is currently zoned AG-1, being part of Land Lot 3 of the 14th Land District, **Lee County**, Georgia.

Chairman Jason Sheffield opened the public hearing at 7:37 p.m. and read the application into the record.

Public Hearing Discussion

Staff Presentation

Meagan Matechak (via phone) summarized the provided staff report, stating staff's recommendation is approval.

Applicant Presentation

Stuart Franklin summarized the application, stating he owns approximately 85 acres and is wishing to split 6.201 acres from that total acreage on which a residence is already built so as to clearly separate the residential property from the planted pines.

Commission Discussion

Clarification was sought from the Commission as to why a previous similar application was recommended for denial, yet this application was recommended for approval. Meagan Matechak (via phone) stated that to complete a division of land zoned AG, per code, there must be a remaining 25 acres; this applicant property abides by that code whereas the previous applicant property did not.

With no further comments or questions from the Commission or audience, the Public Hearing was closed.

Recommendation

Commissioner Jim Quinn made a **MOTION** to **APPROVE** the conditional use application from Langford & Associates, Inc. (Z23-002), seconded by Commissioner Mike McVey. The **MOTION** was unanimous with Commissioners Johnny Golden and Mike McVey voting yea.

TEXT AMENDMENT

- (D) An ordinance to amend **Chapter 70, Article V, Section 70-162 (T23-001)** of the **Lee County Code of Ordinances** with respect to permitted uses that may be located in an R-1 Single-Family Residential District; to provide authority for the construction of accessory structures located in an R-1 Single-Family Residential District where the



accessory structure is located or to be located upon a vacant lot adjacent to a lot which has constructed on it a single-family residence and the single-family residence is owned by the owner of the adjacent lot where the accessory structure is to be located; to provide for acreage limitations; to provide for additional restrictions; to provide for repeal of conflicting ordinances; to provide for an effective date; and for other purposes.

Chairman Jason Sheffield opened the public hearing at 7:46 p.m. and read the application into the record.

Public Hearing Discussion

Staff Presentation

Lee Walton (via phone) and County Manager Christi Dockery summarized the text amendment and respective changes to the existing ordinance, stating staff's recommendation is approval. The current ordinance states that a property owner can build an accessory structure on the same parcel as their home as long as it doesn't exceed half the square footage of the lower level of their home. The proposed ordinance, which has been discussed publicly by the Board of Commissioners, keeps the current provision and adds an amendment stating that if a property owner has a home on one lot and an adjoining lot that is exceeding one (1) acre, an accessory structure may be built on that adjoining lot without the requirement of a house.

With no further comments or questions from the Commission or audience, the Public Hearing was closed.

The Planning Commission discussed suggesting the acreage requirement be 1.25 acres, as that is the lot size required for sewer and water. The amendment states the lot must exceed 1 acre in size.

Recommendation

Commissioner Jim Quinn made a **MOTION** to **APPROVE** the proposed text amendment, seconded by Commissioner Kyle Luckie. The **MOTION** was unanimous with Commissioners Johnny Golden and Mike McVey voting yea.

VI. UNFINISHED BUSINESS

NONE

VII. ANNOUNCEMENTS

The Leesburg City Council will conduct a public hearing and final vote on the zoning request and conditional use application on **Tuesday, March 7, 2023 at 6:00 p.m.** at Leesburg City Hall, located at 107 Walnut Avenue North, Leesburg, Georgia.

The Lee County Board of Commissioners will conduct a public hearing on **Tuesday, March 14, 2023 at 6:00 p.m.** and a final vote on **Tuesday, March 28, 2023 at 6:00 p.m.** on the conditional use application and proposed text amendment in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, located at 102 Starksville Avenue North, Leesburg, Georgia.



VIII. ADJOURNMENT

Commissioner Kyle Luckie made a motion to **ADJOURN**, seconded by Commissioner Jim Quinn. The **MOTION** was unanimous with Commissioners Johnny Golden and Mike McVey voting yea. The meeting adjourned at 7:58 p.m.

Meetings of the Planning Commission and the Board of Commissioners are open to the public.

Georgia law requires that all parties who have made campaign contributions to any member of the Board of Commissioners in excess of two hundred fifty dollars (\$250) within two (2) years immediately preceding the filing of this request, and who desire to appear at the public hearing in opposition to the application, shall, at least five (5) days prior to the public hearing, file a campaign contribution report with the Lee County Planning Commission.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days. The meeting rooms and buildings are handicap accessible.