

LAMAR COUNTY BOARD OF COMMISSIONERS
PUBLIC HEARING
June 20th, 2023
6:00 p.m.

Call to Order

Chairman Traylor called the meeting to order.

**Rezoning from Agriculture-Residential to Residential 2 (Tax Map 007, Parcel 124)-
Robert and Allen Beachamp.**

Planning and Community Development Director Buice (Ms. Buice) addressed the board and stated the application had been withdrawn.

**Alphonzo and Mary Watson-Rezoning from Agriculture to Commercial 2-Tax Map
086, Parcel 044**

Planning and Community Development Director Buice (Ms. Buice) addressed the board and stated this is a Rezoning from Agriculture-Residential to Commercial 2 (C2). The location is High Falls Road (tax map 086, parcel 044), and is located on 4.58 acres. The Planning Commission board recommended approval with the following conditions:

- No Gas Station
- No Utility substation
- 25 ft landscape buffer on both sides

Public Comments

Holly Wells of 689 High Falls Road addressed the board. She stated her family, the English's and the Goin's, had owned and lived on High Falls Road for over 120 years. Ms. Wells said she thought she would get congratulations from the board for being a lifelong Lamar County resident. Ms. Wells said this is a County residential road, and this location is only 20 ft wide. She said in 2019, the board approved a truck parking lot and changed the zoning to Manufacturing (M1). There is an abandoned truck the owner who passed away left behind. There is a privacy fence on the property which is really a chain link fence. She said changing the zoning to Commercial 2 allows for a motel and/or a gas station, and she does not want an extended-stay motel on High Falls Road. Ms. Wells said they needed to pause and not do what they did in 2019. Ms. Wells said the I-75 extension and the Rock Quarry are coming, and they plan to close the High Falls bridge for 18 to 24 months. Ms. Wells said they would not widen the road. She said she spoke to Ms. Watson and asked to try and sell the property as residential, and her neighbors just bought 17 acres with plans to build a retirement home. Ms. Wells said she texted Vice-Chair Thrash about this issue. She also said her neighbor Deon Wolf did not like Commissioner Lovett showing up at his house uninvited because it upset him. Ms. Wells requested the board think and pause about zoning the property to Commercial 2.

Pauline Bowman representing the Watsons, addressed the board regarding selling their four lots. Ms. Bowman stated the property adjacent to Watson's was rezoned to Commercial 2. With all of the development coming to Jackson and down I-75, it would be beneficial to rezone the property to Commercial 2 because there will be an array of potential buyers. Ms. Bowman apologized for the situation with the trucking yard on the opposite side of the road but said this has nothing to do with the Watson's desire to rezone their property and hopes this does not affect their rezoning request.

Commissioner Lovett questioned why they are requesting C2 zoning when the property adjacent to the Watson's is M1 zoning. Ms. Watson said this zoning was recommended by Ms. Buice when they put in the application and is also the same type of zoning that backs up to the Watson's property. There were restrictions with that lot. The same restrictions for the Watson's lots include no gas stations or outdoor vendors such as flea markets. The pool of buyers for commercial property comes in a wide range. Commissioner Lovett asked Ms. Bowman if she knew the market for residential and commercial buyers and asked her for numbers. She replied for lots that have sold as residential, they are under \$300,000.00, and if this property is zoned commercial could be sold for three times as much. The other property on the other side is listed at 1.9 million dollars.

Commissioner Gilles asked about the current land use plan. Ms. Buice said it is in the Comprehensive Plan under Interstate Highway 75 Corridor (Area 5). The development area is located on the east and west sides of I-75 and is adjacent to agricultural and residential areas on its west side. The Van Mar Industrial Park and Region South Industrial Park are located in this area. This area is expected to expand as new locations and business infill occur. This sensitive area of High Falls Lake is protected by design with significant distance and vegetative buffers separating the industrial areas from the streams. In the Land Use Categories: Clean manufacturing and warehousing operations (M-2 Zoning), Commercial enterprises catering to tourism and highway traffic (C-2 zoning), and Open Space protective buffer (undeveloped land).

Vice-Chair Thrash asked if the Watsons had potential buyers. Ms. Buice said they have yet to be listed. Commissioner Gilles asked if the lots around the property were vacant. Ms. Buice said they were still undeveloped but had been rezoned to commercial in the last four to five years. Commissioner Gilles noted this was mainly commercial and light industrial according to the Comprehensive Plan. Ms. Buice said properties to the North are a part of the I-75 Corridor, and properties to the South are not.

Ms. Buice said one of the conditions for the heavy industrial rezoning that runs parallel with the interstate was no heavy truck traffic going on that section of High Falls Road, and they must use Van Mar Blvd. Commissioner Lovett said Ms. Wells spoke of the closing of I-75 in two conversations, one by telephone with him and one at the meeting and asked if Ms. Buice had any indication of this. Ms. Wells said it was on the I-75 expansion website with GDOT. Ms. Buice said it was, and GDOT sent out a request asking if it would interfere with anything, and her response was it would because there is an industrial property on the other side of I-75. If the bridge is closed, it would be an issue because large trucks cannot travel down Buck Creek Road. So, when GDOT saw the reality of closing the bridge and

shutting two businesses down, they said they would not shut the bridge down but find another alternative.

Vice-Chair Thrash asked if anyone had shown an interest in this property. Ms. Bowman said they have a pool of over 5000 buyers, but currently, their property is not listed. Once it is listed and marketed, and advertised through her company, there will be interest.

Ivan Minks-Thousand Hills Cattle Ranch-Special Exception in Agriculture-Agritourism and Retail Sales-Tax Map 027-Parcel 034

Planning and Community Development Director Buice (Ms. Buice) addressed the board, stating Ivan Minks of Thousand Hills Cattle Ranch has applied for a Special Exception in Agriculture Agritourism to sell retail products grown or produced in Georgia. The zoning will remain Agricultural-Residential (A-R) if approved. The location is 156 Perdue Road (Tax map 027-Parcel 034). For full transparency, the Minks have already opened the store on the property. Through discussions with the Tax Assessors, they realized what they had put in went outside the boundaries of Small Scale Agritourism which is allowed as a permitted use. Any farm in Lamar County can sell products made on their farm without any special permission, but bringing in other products in the State of Georgia requires you to have a Special Exception for Large Scale Agritourism. The Board of Appeals recommended approval without conditions.

Public Comments

Shirley Williams of 148 Perdue Road addressed the board with her concerns. Ms. Williams said she had lived there for 23 years and was against this because of the noise. She said she had no problem with the ranch or the store, but she did have a problem with potential traffic and groups coming in and out of the property. Ms. Williams said that since their store sits very close to her property, she cannot sit on her back porch or backyard without hearing the noise. She said this would affect herself and the community and said if she wanted noise, she would have to move to the City. Ms. Williams asked why she should deal with any noise this might bring.

Brandon Heath of 278 McCollum Road addressed the board. He said his property backs up to the Minks' property. He said he moved there this year and has been blessed to have gotten to know the Minks, and they are a strong Christian couple. He does not know of any groups they would bring in on a Thursday or a Friday that they are open. They shut down at 6:00 p.m., and as far as any special event, wedding event, or loud music is concerned, they are not people who will be having this type of activity. He did not realize he would speak tonight but concluded by saying God Bless the Minks.

Vice-Chair Thrash asked Ms. Williams if she had received any complaints. Ms. Williams said they have not had any events to date, but they can have groups of people if the permit is approved. Her concern is with the noise at her back door or backyard.

Commissioner Lovett asked if this was an application for the store. Ms. Buice said there is a list of things you can do in Small and Large Scale Agritourism in each category, such as wedding events, reunions, or other things, that could be permitted. Ms. Buice said at the Board of Appeals meeting, the Minks stated they had no intention of having these types of events.

Commissioner Lovett said in the past, Agritourism has opened Pandora's box, and there are things the community has not been fond of. Ms. Buice said it had been rewritten since then. He said if, in the event, they impose conditions and at a later date they decide differently, they can address this. Commissioner Lovett said he wanted to avoid giving blanket approval so it could expand past the store. He said he loves local products and the idea of what they are bringing, but he is very cautious about what has happened in the past. Ms. Buice said they could approve the Special Exception with a condition that there be no events or more than one event per year or whatever flavor they set. To change this, they would go through the same Public Hearing process to change any conditions set by the board. Commissioner Lovett asked if it handicapped Saturday sales because he understood it would be agricultural beef and other people's products. He wanted to know if this would be considered a special event. Ms. Buice said they are currently only selling on Thursdays and Fridays and thought it would be a good idea if they set a day and time limit on this property. Ms. Buice said there are four conditions for Large Scale Agritourism; Dinner on the Farm-Working Farm, where meals are prepared for members of the general public from products on the farm, Farmer's Market, Farm Retail Sales, Horseback Riding Lessons, and Special Events.

Commissioner Gilles asked the Minks if they were comfortable with this. The Minks nodded. Ivan Minks addressed the board. He said the store is 400 square feet, and it fits between the small and the large scale agritourism. They have a mobile store and a 28 ft. race trailer, and they go to events with their homegrown products. They do everything as close to right as possible, and they carry many products all over the Southeast. They sell beef, pork and chicken, honey, and jams. The lot is 1400 square feet deep lot. He does not have parties on Friday nights, wedding venues, dirt bike rallies, or high school reunions. He may have the Barnesville Lamar County Chamber Business After Hours, Lamar County Appreciation Saturday, give out hamburgers and hotdogs or have his family or a Church social event. Mr. Minks said having the general public or high schoolers walk around the property under Agritourism is not feasible because of the expense of the insurance premium. He said having elementary students is too expensive to come to see livestock, and without parental supervision, it will not happen. Mr. Minks said they are quiet people, and Amazon coming on the property is the most traffic of people they have. The intent was to sell farm products out of a trailer or in their store. He said most of what they do is shipping.

Verizon Wireless-Special Exception in Agriculture-Residential to place wireless telecommunication facility-Lamar County Line Road-016-042

Planning and Community Development Director Buice (Ms. Buice) addressed the board, stating Verizon Wireless has applied to place a wireless telecommunication facility on

Lamar County Line Road located on Tax Map 016 Parcel-042. The Board of Appeals recommended approval. Since then, she received an email from Aaron Darley, who lives at 301 County Line Road, opposing the application.

Donald and Wendy Spears of 170 County Line Road addressed the board in opposition to the application. Mrs. Spears said they are next door to the property they bought 11 years ago. They have spent a lot of money clearing it off to raise horses. She said their house sits parallel to where they want to put the cell tower, and basically, it will be in their front yard. Even though there are a lot of trees on the property, it will be over the trees. Mr. Spears said he believed they owned the entire block of 40 acres and asked why they could not put it in the cow pasture. Mrs. Spears said if the board approves the cell tower, they request it is relocated to another spot on their property. Mr. Spears said it would only be as far over the property line as tall, 270 ft. in the woods, and they would have an easement cut down through the road. He said it would ruin his property value. Mrs. Spears said it would have guide wires on it. Mrs. Spears said they live in Lamar County, and people across the street live in Spalding County and wondered if they knew about this application. She said they are going to be affected by this too. The Spears said they do not want it in the front yard. Commissioner Gilles asked them if they had cell service at their house. The Spears said they have great Verizon Service. Mr. Spears said they just had installed fences for their horses and requested they put the cell tower somewhere else on the 40 acres of cow pasture.

Wendy Doyle with Verizon Wireless addressed the board. Ms. Doyle said she appreciated what the Spears had mentioned but wanted to clarify a few things. She presented a site location diagram and stated they are not proposing to place the tower in the corner of the lot. They are meeting the setback guidelines in the Ordinance to be tower height away from a major road and from the existing property owners to the left, right, North, south, east, and west. The property is a great location because of the trees, and they can bring it 270 to 280 feet from the main road. She said if you walked the property, the further you get below the southern border, there is a pond and a creek that runs through the property. Ms. Doyle said from an environmental standpoint, it is better for Verizon to construct a tower with the best environmental foundation. They have had environmental and soil reports done to show the ground is feasible and there are no issues with plants, vegetation, and wildlife. The compound they propose to build will be 100 x 100 with a fence surrounding it and the natural trees.

Ms. Doyle said the tower Verizon proposes to build has no guide wire. It is a self-support tower, and four other carriers will also be able to use it. There is no other tower within two and a half miles of this area. Ms. Doyle heard the Spears have service, but they also had to purchase a booster to have the service provided. Ms. Doyle presented the service area they are trying to cover with cell service. The objective is to improve In-building and In Car & Street Level coverage within the desired service area for residences, businesses, vehicles, and pedestrians in the City of Orchard Hill and along major roads; Macon Road,/Old Ga 41, Swint Road, S. McDonough Road, Morgan Dairy Road, Cook Road, Pleasant Road, Philip Weldon Road, S. Walker Mill Road, Johnston Road, Lamar County Line Road, and other small streets enclosing an area of approximately 41 square kilometers. Major towns in the desired service area are Orchard Hill and Griffin. The distance between the proposed

and existing Verizon sites is approximately 3.8 miles to 5.5 miles. Currently, there is no service in this area, and calls are being dropped. The existing Long Term Evolution (LTE) coverage needs adequate service in the above locations. The proposed LTE coverage is 250 from the radiation center. They are both Federal Aviation Administration (FAA) and FCC-approved. Ms. Doyle said it took Verizon three years to find a piece of property that met all of the requirements for a cell tower. Ms. Doyle said Verizon extensively evaluates property values with their Real Estate Corporate department. She said 75 percent of homeowners prefer to have cellular service because they no longer have land lands. Ms. Doyle said with the progression of technology, people who are moving to this rural area want to know they have cellular service along with hospitals and doctors who monitor pacemakers, blood pressure cuffs, and electrocardiogram (EKG) machines.

Vice-Chair Thrash asked if Lamar County could have permission to use the cell tower as a repeater for the Emergency Medical Services (EMS). Ms. Doyle said absolutely because Verizon has a program set up and a phone number where the EMS could use that site for fire or emergencies. There is a first responders program that Verizon and AT&T both have.

Kathy Conkle of 441 Cook Road addressed the board and stated Lamar County Line Road dead ends at her location. Ms. Conkle said people who do various work at her house try to reach their company, and they have no cell service. It would be beneficial to have this service. She said the Spears are wonderful neighbors and did not want to cause them trouble, but she approved of this request.

James Cook of 248 Lamar County Line Road addressed the board. Mr. Cook said he received a letter showing it would be located 300 feet from his house. Mr. Cook said his wife is disabled, and he knows there are no proven facts it affects your health, but there are no proven facts it doesn't. He said they have consulted with physicians. She has a muscle disorder, and they have told them there are patients with the same type of disorder and have found a cell tower can make the pain worse. He said this could affect her health, and this is a concern. Mr. Cook said he has been living in this same place for 74 years, and it is zoned residential and agricultural. He said at this point, he has no plans to sell even though a lot of people would like to have his house and property. He said it is a nice, wooded area. Mr. Cook said he does not plan to sell his house now, but in talking to realtors, this cell tower will affect the value of the property, and he would like to know his value is still high so he can sell it and downgrade to a smaller place if it becomes necessary in later years.

Vice-Chair Thrash said with the last cell tower application, the issue was raised about health concerns, and they stated that cell tower radiation is far less harmful than a microwave in someone's home. Ms. Doyle addressed the issue of health concerns and said she had researched reports from the Center for Disease Control (CDC) and reports overseas. There are no significant negative results on this type of connection. She said holding a cell phone up to your ear is far more dangerous than an antenna 250 ft. away. Ms. Doyle recommended a cell phone not be placed up against your ear/head and agreed that a microwave emits far more frequency than a cell tower. Ms. Doyle said she had had no negative information from physicians and would like to speak to Mr. Cook's wife's physician to see the data they are using that shows it affects muscles. She said she had seen

the reports from the Cancer Society and other health organizations, and no data showed a cell tower's negative effects.

Vice-Chair Thrash said she had received several emails/texts and relayed those to the board. She said that with the request for the rezoning application from the Watsons, she received an email/text from Dion Wolf with his opposition. His main concern is the road might not handle the commercial traffic that would come through the area. She also received an email/text from Beverly Vickers. Mrs. Vickers said she and her husband just bought 17.5 acres and are opposed to the zoning request.

Adjournment

With no further questions, Chairman Traylor requested they adjourn the meeting. Commissioner Fletcher made a motion to adjourn the Public Hearing at approximately 6:57 p.m. Commissioner Gilles seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Ryran Traylor, Chairman

Nancy Thrash, Vice-Chair

Jarrod Fletcher, Commissioner

Jason Lovett, Commissioner

Ashley Gilles, Commissioner

Attest: _____ Carlette Davidson, County Clerk