



## HALL COUNTY BOARD OF COMMISSIONES VOTING MEETING MINUTES

Hall County Government Center 2<sup>nd</sup> Floor  
2875 Browns Bridge Road, Gainesville, GA 30504  
Thursday, January 26, 2017 - 6:00 pm

### **1. Call to Order**

Chairman Higgins called the meeting to order at 6:02 p.m.

#### **Present:**

Chairman Richard Higgins, Vice Chairman Jeff Stowe and Commissioners Kathy Cooper, Billy Powell and Scott Gibbs

Also present were County Administrator Randy Knighton, Assistant County Administrator Marty Nix, Commission Clerk Lisa Ritchie and County Attorney Bill Blalock

### **2. Approve Agenda**

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve the Agenda.

### **3. Invocation**

- a. Dr. Samuel Parsons, Co-Pastor of Pastoral Care Blackshear Place Baptist Church

### **4. Pledge of Allegiance**

- a. Commissioner Jeff Stowe

### **5. Presentation**

- a. Recognition of one of Hall County Government Center Public Art Program's Featured Artist, Connie Lynne Reilly

Ms. Katie Crumley, Public Information Officer, addressed the Board. She stated that Ms. Connie Lynn Reilly is the County's first feature artist. She stated that Ms. Reilly loaned the County her art for the public to enjoy and to let the public know of the opportunity to see the public art in the facility. She stated that Ms. Reilly's art is displayed on the second floor of the Hall County Government Center.

Ms. Reilly stated that she is inspired by people and their faces. She said she enjoys painting people and portraits.

### **6. Public Comment - Agenda Items Only (2 minutes per speaker/20 minutes maximum)**

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BOARD OF COMMISSIONERS  
VOTING MEETING

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There were no comments from the public.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve the Consent Agenda.

**7. Consent Agenda**

- a. Approve January 18, 2017 Special Called Meeting Minutes
- b. Approve January 12, 2017 Voting Meeting Minutes
  
- c. Approve January 12, 2017 Executive Session Minutes
- d. Approve January 12, 2017 Special Called Meeting Minutes
  
- e. Approve January 9, 2017 Work Session Minutes
  
- f. Approve release of \$275,383.00 Irrevocable Letter of Credit for Sidewalks in Avalon Hills Subdivision Phase II. Commission District 3.
  
- g. Approve acceptance of \$236,520.00 Irrevocable Letter of Credit for Sidewalks in Avalon Hills Subdivision Phase II. Commission District 3.
  
- h. Approve release of \$77,356.00 amended Irrevocable Letter of Credit for the streets and sidewalks in Village at Deaton Creek Phase 3B, Unit 7. Commission District 1.
- i. Approve Extension of \$155,000.00 Irrevocable Letter of Credit for Streets in Copper Glen Phase III Subdivision. Commission District 3.
- j. Approve Award of IFB 032-37 - Purchase of New Fire Hoses for the Fire Department to Ten-8 Fire Safety Equipment and NAFECO.
  
- k. Approve Purchase and Installation of a Fire Supression System for the E-911 Computer Room from Peach State Fire Inc.

**8. Other Business**

- a. Consider for Approval: Department posting and reclass requests

Bill Moats, Human Resources Director addressed the Board.

Motion by Commissioner Gibbs to approve the requests to post and reclass positions with the exception of the Clerk of Courts, Juvenile Court, and Tax Commissioner's requests until further information is brought before the Board at the next Commission Meeting. Commissioner Stowe seconded the motion and recommended a friendly amendment to approve Juvenile Court's Deputy Clerk request. Commissioner Gibbs accepted the friendly amendment and the Board voted, unanimously, to approve Commissioner Gibbs' Motion with the friendly amendment.

- b. Second Reading and Public Hearing to consider the request to approve the abandonment

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BOARD OF COMMISSIONERS  
VOTING MEETING

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of a section of right-of-way on Clark Drive which is a privately maintained public road. Section proposed for abandonment is approximately 113+/- feet in length. Commission District 1. **NOTE: Tabled at the December 8, 2016 Commission Meeting until the January 26, 2017 Meeting**

Motion by Commissioner Cooper, seconded by Commissioner Stowe and voted, unanimously, to remove item 8.b. from the table.

Ken Rearden, Public Works & Utilities Director, addressed the Board. Mr. Rearden stated that he is waiting for the Engineering Report.

Motion by Commissioner Cooper, seconded by Commissioner Gibbs and voted, unanimously, to re-table item 8.b. until the Commission Meeting on March 23, 2017.

**9. Public Hearing to consider applications to amend the Zoning Map of Hall County as follows:**

Mr. Blalock gave the Public Hearing instructions.

- a. Application of Heather Terry to rezone from R-II to PID, a 3.19+ acre tract located on the northern terminus of Mulberry Street; a.k.a 5681 Mulberry Street; Zoned R-II; Tax Parcel 08114 002002(pt). Proposed Use: Repair shop and equipment storage. Commission District 1. **NOTE: Tabled at the December 8, 2016 Commission Meeting until the January 26, 2017 Commission Meeting**

Motion by Commissioner Cooper, seconded by Commissioner Stowe and voted, unanimously, to remove item 9.a. from the table.

Mr. Blalock issued the Reading.

Motion by Commissioner Cooper, seconded by Commissioner Gibbs and voted, unanimously, to re-table item 9.a. until the March 23, 2017 Commission Meeting.

- b. Application of Straight Street Revolution Ministries, Inc. to rezone from AR-IV to PRD, a 50.06± acre tract located on the north side of Weaver Road, approximately 1700± feet from its intersection with Poplar Springs Road; a.k.a. 4825 Weaver Road; Tax Parcel 15029 000024. Proposed Use: Faith based residential campus. Commission District 3. **NOTE: Tabled at the December 8, 2016 Commission Meeting until the January 26, 2017 Commission Meeting**

Mr. Blalock recommended holding item 9.b. until the last item on the Agenda as it will take the longest to hear.

- c. Application of Donald Riccardi to vary the front yard setback from 30 ft. to 1 ft., the rear yard setback from 10 ft. to 1 ft. and right side yard setbacks from 20 ft. to 1 ft. on a 6.58± acre tract located on the northeast side of Thompson Bridge Road approximately 800 feet from its intersection with Hubert Stephens Road; a.k.a. 5162 Thompson Bridge Road; Zoned PCD; Tax Parcel 11083 003001A. Proposed Use: Subdivide property and

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BOARD OF COMMISSIONERS  
VOTING MEETING

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construct new storage buildings.\* Commission District 3.

Mr. Blalock issued the Reading.

Mr. Yamala addressed the Board and stated that the Planning Commission recommended approval.

Mr. Blalock issued the Public Hearing.

Rick Riccardi, 4856 Newton Drive, addressed the Board in favor of item 9.c.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to approve item 9.c.with a condition. CONDITION:

- 1) Allow setbacks of 10' on the left, 10' on the right and 5' on the front with Mr. Yamala having the final say when the survey is submitted.

- d. Application of Red Mountain (Tennessee Carefree) LLC for a Use Subject to County Commission approval on a 1.15± acre tract located on the north side of Lanier Islands Parking approximately 275ft. from its intersection with Lee Drive ; a.k.a. 0 Lanier Islands Parkway; Zoned H-B; Tax Parcel 07329 001010; Proposed Use: Boat Sales and Outdoor Storage. \* Commission District 1.

Mr. Blalock issued the Reading.

Mr. Yamala addressed the Board and stated that the Planning Commission recommended approval with one condition.

Mr. Blalock issued the Public Hearing.

David Rothwell, 5687 Mount Drive, addressed the Board in favor of item 9.d.

Motion by Commissioner Cooper, seconded by Commissioner Stowe and voted, unanimously, to approve item 9.d. with the condition recommended by the Planning Commission with an exception to that condition as requested by the applicant. CONDITION:

- 1) The Gateway Corridors Overlay District standards shall be applied to the entire development with an exception to waive the Gateway Corridors Overlay District standards to the rear portion of the building not viewable from the road.

Commissioner Stowe expressed his concerns with future applicants requesting waivers of the Gateway Corridors Overlay District standards. He said they need to be consistent.

- e. Application of North Lanier Storage, Inc. for a Use Subject to County Commission approval on a 3.23± acre tract located at the intersection Browns Bridge Road and Sherri Drive; a.k.a. 5343 Browns Bridge Road; Zoned H-B; Tax Parcel 08080 002057; Proposed Use: Self and Outdoor Storage. \* Commission District 2.

Mr. Blalock issued the Reading.

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BOARD OF COMMISSIONERS  
VOTING MEETING

---

Mr. Yamala addressed the Board and stated that the Planning Commission recommended approval with three conditions.

Mr. Blalock issued the Public Hearing.

Christian Smith, 1257 Queens Harbor Blvd., Jacksonville, FL, addressed the Board in favor of item 9.e.

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, unanimously, to approve item 9.e. with the conditions recommended by the Planning Commission, with the exception of condition two which is to be deleted, and with additional conditions by the Board of Commissioners. CONDITIONS:

- 1) The Gateway Corridors overlay district standards shall be applied to the entire development including the rear lot which is to be boat storage and a gate.
- 2) Applicant shall pay for turning lanes into property at their expense – This condition was deleted per the Board of Commissioners motion.
- 3) Applicant shall work with Planning Department regarding improvements to Sherri Drive which includes widening to 24' from Browns Bridge to 10' past the radius of their entrance (driveway), at the applicant's expense.
- 4) The gate shall be as indicated on the development plan, as presented to the Board of Commissioners.

- f. Application of Ideal Communications, Inc. to rezone from AR-III to H-B on a 3± acre tract located on the southwest side of Spout Springs Road approximately 1180ft. from it's intersection with Hog Mountain Road; a.k.a. 6016 Spout Springs Road; Tax Parcel 15046 000148. Proposed Use: Office.\*\* Commission District 1.

Mr. Blalock issued the Reading.

Mr. Yamala addressed the Board and stated that the Planning Commission recommended approval.

Mr. Blalock issued the Public Hearing.

Steve Peacock, 5029 Southern Trace Drive, addressed the Board in favor of item 9.f.

Motion by Commissioner Cooper, seconded by Commissioner Powell and voted, unanimously, to approve item 9.f. with a condition. CONDITION:

- 1) Applicant shall provide any required right-of-way associated with the Spout Springs Road widening project.

- g. Second Reading of a resolution pursuant to section 17.40.030 entitled "Adoption of Official Zoning Map and District Boundaries" of Chapter 17.40, Title 17 of the Official Code of Hall County, Georgia to designate and adopt the Official Zoning Map - 2017 of Hall County, Georgia, in electronic format; to provide for an effective date for said resolution; and to repeal conflicting ordinances and resolutions, and for the other purposes.

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BOARD OF COMMISSIONERS  
VOTING MEETING

---

Mr. Blalock issued the Reading and Public Hearing.

Mr. Yamala addressed the Board and stated that adopt the Official Code of Hall County District Map and boundaries.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve item 9.g.

- b. Application of Straight Street Revolution Ministries, Inc. to rezone from AR-IV to PRD, a 50.06± acre tract located on the north side of Weaver Road, approximately 1700± feet from its intersection with Poplar Springs Road; a.k.a. 4825 Weaver Road; Tax Parcel 15029 000024. Proposed Use: Faith based residential campus. Commission District 3. **NOTE: Tabled at the December 8, 2016 Commission Meeting until the January 26, 2017 Commission Meeting**

Mr. Blalock issued the Reading.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to remove item 9.b. from the table.

Mr. Yamala addressed the Board and stated that the Planning Commission recommended denial.

Mr. Blalock issued the Public Hearing.

The following people addressed the Board in favor of item 9.b.:

- Tyler Smith, Smith Gilliam Williams & Miles

Commissioner Stowe reminded the public of the Public Hearing instructions.

- Todd Robson, 4617 Blakeford Court
- Ann Gainey, 757 Oak Shire Court
- Jensen Franklin, Pastor of Free Chapel

Chairman Higgins called for a short break at 7:06 p.m.

Chairman Higgins reconvened the meeting at 7:16 p.m.

The following people addressed the Board in opposition of item 9.b.:

- Wes Robinson, 200 EE Butler Parkway, representing families opposed to the location of the project.
- Gina Dyer, 4981 Weaver Road
- Lisa Murphy, 5119 Dear Path Lane
- Winston Butrom, 4963 Weaver Road
- Mike Clue, 4778 Weaver Road

Brian Rochester of Rochester and Associates, 425 Oak Street, addressed the Board in rebuttal of the opposition.

Wes Robinson addressed the Board in rebuttal of the ones in favor.

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BOARD OF COMMISSIONERS  
VOTING MEETING

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Commissioner Powell stated that of all of the Commission duties, rezoning items are the most difficult ones that the Commission considers. He stated that the Commission take time and do their homework to help build the best basis for their decisions. Commissioner Gibbs said he has met with both sides and visited the location on three occasions. He said he feels like the application is a reasonable one that will have the least impact on the community.

Motion by Commissioner Gibbs, to approve the application with the seventeen conditions as offered by the applicant, Commissioner Cooper seconded the motion. Mr. Smith read the seventeen conditions. Commissioner Gibbs discussed adding fences alongside Weaver Road and decreasing the number of houses from seven to five. Discussion ensued. Commissioner Stowe wished to allow them to do two homes and come back to the Commission for five more. Commissioner Gibbs amended his motion to add conditions to cap the number of residences from twenty eight to twenty, to build a fence in front of the development alongside Weaver Road, reducing the number of houses from seven to five, and add cameras at the entrance and around the property. Commissioner Stowe stated that they had talked to Sheriff Couch to assist in getting information from other communities that had experienced the same in their communities. He said that other communities stated that it had been a blessing to their communities. The Commission voted to approve Commissioner Gibbs' motion with the amendments and added the three conditions as recommended by Planning staff. CONDITIONS:

- 1) Applicant shall impose a cap of 28 20 residents at any given time.
- 2) Applicant shall provide one full time staff person to each individual residence.
- 3) Applicant shall only accept residents that have successfully completed a Phase 1 program and operate as a Phase 2 program only.
- 4) Applicant shall impose a minimum age of 18 years for any resident.
- 5) Applicant shall not accept any registered sex offenders as residents.
- 6) Applicant shall impose a maximum building restriction of 2 stories (above grade) for any structure located on the property.
- 7) Applicant shall install a security gate at the mail entrance from Weaver Road and a secondary gate at the internal entrance to the residences.
- 8) Applicant agrees to self-impose a 100' setback along the right-of-way of Weaver Road and a 200' setback along all other property lines. The first 50' of the setbacks shall be considered a buffer and will remain undisturbed with the exception of the following uses:
  - Access Roads
  - Utilities
  - Walking Trails & Prayer Garden
  - Signage
  - Fencing & Gates
  - Supplemental Landscaping
- 9) Applicant agrees to only ground mounted signage, in accordance with the Hall County signage ordinance, at the entry drive to the property. The overall size of the signage will not exceed 100 square feet.
- 10) Applicant agrees that residences will be located such that each unit could become an individual lot of record and be served by a residential street.
- 11) Applicant agrees that all construction shall meet Hall County Building Code

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BOARD OF COMMISSIONERS  
VOTING MEETING

---

- requirements.
- 12) All residences shall be brick, stone, or cementitious siding (or a combination thereof) on all sides. No vinyl siding will be allowed. All other buildings shall have a residential appearance with similar building materials, provided that the offices will be of a lodge style, the warehouse will be of a barn style, and the Chapel may have design elements in keeping with church and chapel buildings.
  - 13) Detention ponds shall be screened from adjacent properties according to Hall County requirements.
  - 14) All paved parking areas shall be landscaped in accordance with Hall County requirements. All parking shall be located outside of the proposed 50' buffer.
  - 15) Street lighting shall be in accordance with Hall County requirements with lantern-type fixtures.
  - 16) Applicant agrees to limit the number of residential facilities to 2 during the first two years, one to be built during the first year with the option to build a second during the second year. No more than one additional residential facility shall be built per year thereafter.
  - 17) Applicant shall work with the Hall County Sheriff's Department to develop a safety plan.
  - 18) Applicant shall build a fence in front of the development alongside Weaver Road
  - 19) Applicant shall have a maximum of five houses.
  - 20) Applicant shall add security cameras at the entrance and around the property
  - 21) Development shall generally occur as outlined in the project narrative and concept plan
  - 22) The development shall be held to Section 17.260 regarding vegetation buffers adjacent to residential properties
  - 23) The conditions of zoning shall be made a record of any new plat of the property

#### **10. Report from County Attorney**

Mr. Blalock did not have any items to report.

#### **11. Report from County Administrator**

Mr. Knighton expressed his excitement regarding the Public Arts Programs and the future of it. He stated that on the fourth floor there was high school students work displayed. He recognized the committee that has been working on the program, Katie Crumley, the Arts Council, Quinlan Visual Arts Center, and the Arts Council.

Mr. Knighton acknowledges the SPLOST VII Citizen Review Committee. He said they have done a tremendous job monitoring SPLOST expenditures and revenues.

Mr. Knighton said at the Greater Hall Chamber of Commerce Board meeting there was a presentation regarding the Ports Authority they acknowledged much of the cargo that is exported from Hall County. He said they have big plans in Savannah. He said it is a great economic engine for the State of Georgia.

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BOARD OF COMMISSIONERS  
VOTING MEETING

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**12. Commission Time**

Commissioner Kathy Cooper, District 1, did not have any items to report.

Commissioner Billy Powell, District 2, did not have any items to report.

Commissioner Scott Gibbs, District 3, did not have any items to report.

Commissioner Jeff Stowe, District 4, reported that Hall County Government Officials have been exploring options for a park in the Morning Side Heights area. He said after doing their due diligence they have decided to look at other properties for the project.

Commissioner Stowe directed staff to look at opportunities to improve the process regarding people abandoning vehicles to run from the police without proper notification to the public. He directed staff to work with police and the Sheriff's Office to set up a meeting to discuss improvements in notifying the public of these activities. Mr. Nix stated that he will work with staff for an improvement.

Chairman Richard Higgins did not have any items to report.

**13. Adjourn**

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to adjourn the meeting at 8:18 p.m.

If you have a disability or impairment and need special assistance, please contact the  
Commission Clerk prior to the meeting at 770-5 35-8288