

**REGULAR MONTHLY MEETING
PIKE COUNTY BOARD OF COMMISSIONERS**

The Pike County Board of Commissioners held its Regular Monthly Meeting on Tuesday, November 30, 2021, at 6:30 p.m. in the Courthouse, Main Courtroom, at 16001 Barnesville Street, Zebulon. Chairman Briar Johnson convened the meeting and Commissioners Tim Daniel, Tim Guy, Jason Proctor and James Jenkins attended. County Manager Brandon Rogers, County Attorney Rob Morton and County Clerk Angela Blount were also present. (O.C.G.A. § 50-14-1(e) (2)).

1. **CALL TO ORDER**.....Chairman J. Briar Johnson
2. **INVOCATION.....**.....Karen Brentlinger
3. **PLEDGE OF ALLEGIANCE.....**..... Chairman J. Briar Johnson

4. **APPROVAL OF THE AGENDA - (O.C.G A. § 50-14-1 (e) (1))**

Motion/second by Commissioners Daniel/Guy to approve the agenda, motion carried 5-0.

5. **APPROVAL OF THE MINUTES - (O.C.G.A. § 50-14-1(e) (2))**

- a. Minutes of the November 10, 2021, Regular Monthly Meeting.
- b. Minutes of the November 10, 2021, Executive Session.

Motion/second by Commissioners Proctor/Guy to approve the November 10, 2021, Regular Monthly Meeting minutes and the November 10, 2021, Executive Session minutes, motion carried 5-0.

6. **INVITED GUEST - NONE**

7. **REPORTS FROM COMMISSIONS, DEPARTMENTS, COMMITTEES, AUTHORITIES**

- a. Monthly Reports submitted from County Departments and County Authorities, including a Revenue/Expenditure Statement for all departments and a summary check register. *There are no Department reports as they will be provided during the first Board meeting in December. Revenue/Expenditure Statement and Detail Check Register is included.*

Motion/second by Commissioners Daniel/Proctor to accept the Department Reports, motion carried 5-0.

- b. County Manager Report

Update on County finances for the following funds/accounts:

General Fund	\$2,192,888.88
Fire Dept. Donations.....	\$6,420.27
Cash Reserve Account.....	\$307,602.41
Jail Fund	\$37,730.91
E-911 Fund	\$208,046.52
DATE Fund	\$41,544.91
Juvenile Court Fund.....	\$12,373.54
Residential Impact Fee	\$1,136,814.27
Commercial Impact Fees	\$192,752.14
C.A.I.P FUND	\$38,233.27
General Obligation SPLOST Tax Bond Sinking Fund, 2016.....	\$593,956.61
L.M.I.G. Grant (DOT).....	\$531,021.97

- c. County Manager Comment

No report.

- d. Commissioner Reports

District 1 – Commissioner Daniel – No report.

District 2 – Commissioner Guy – No report.

District 3 – Commissioner Proctor – No report.

District 4 – Commissioner Jenkins – No report.

At-Large Chairman Briar Johnson

Chairman Briar Johnson announced Patti Maxedon in the Tax Commissioners office will be retiring at the end of December 2021. Mrs. Maxedon has been a valuable employee with Pike County for 31 years. Everyone is invited to stop by the Tax Commissioners Office on Thursday, December 2, 2021, between 8:00 a.m.-12:00 p.m. to wish her well.

- e. County Attorney Report to Commissioners

County Attorney Rob Morton addressed the Board stating the county has received some proposed documents related to the appeal that will be filed related to the denial of the zoning involving the Pine Valley Concrete Plant. Morton asked the Board for an authorization for the Chairman to sign the

Certificate of Payment of Costs related to the rezoning application that was filed and to approve the proposed documentation for the filing of their appeal.

Motion/second by Commissioners Proctor/Daniel to approve the proposed documentation for filing of their appeal, motion carried 5-0.

Motion/second by Commissioners Proctor/Daniel to authorize Chairman Briar Johnson to sign the Certificate of Payment of Costs, motion carried 5-0.

8. UNFINISHED BUSINESS - NONE

9. NEW BUSINESS

- a. Consider Variance Application refund in the amount of \$200.00.

County Manager Brandon Rogers stated he recommends denial of the above refund. The variance application request ran twice in the local newspaper which was a cost of \$116.52 to the county. The actual county cost with time spent preparing the ad and staff review of the variance application is estimated between \$181.00 and \$196.00, includes ad publication costs. Planning and Development Director, Jeremy Gilbert, stated the variance application refund request was for property located 631 Williams Mill Road Zebulon, GA. The variance application was advertised for the October 21, 2021, and the November 18, 2021 Board of Appeals meetings. The applicant requested to postpone the application at the October 21, 2021 meeting and the applicant withdrew his application two days before the November 18, 2021 meeting.

Motion/second by Commissioners Proctor/Guy to deny the refund, motion carried 5-0.

- b. Receipt of Notice of Intention to Introduce Local Legislation regarding Redistricting.

County Manager Brandon Rogers noted this is a motion to accept the legal notice that is published in the legal newspaper this week for the redistricting. All the information has been provided to Representative Beth Camp to be introduced at the next General Assembly in January to adopt the new local redistricting map.

Motion/second by Commissioners Guy/Daniel to accept the receipt of notice of Intention to Introduce Local Legislation regarding redistricting, motion carried 5-0.

- c. **PUBLIC HEARING:** To receive public input regarding REZ-21-05. Leigh Ann Minter ETAL, owner and Tricia Gwyn applicant are requesting to rezone property located on the southwest side of US Highway 19, Meansville GA 30256. The subject property has 5.52 +/-acres and is located in Landlot 214 in the 8th Land District of Pike County. It is further defined as a portion of Parcel ID 071 059. Applicant and owner are requesting the property to be rezoned from A-R, Agricultural-Residential to R-18 Single-Family Residential to allow for two building lots with a minimum lot size of two acres and a minimum house size of 1,800 square feet. Commission District 3, Commissioner Jason Proctor.

Planning and Development Director, Jeremy Gilbert, addressed the Board stating the application before them is a rezoning request from A-R, Agricultural Residential to R-18, Single Family Residential. The applicant is wishing to rezone the subject project to R-18, Single Family Residential to create two buildable lots that are a minimum of two acres each from the 5.52 ± total acreage. Gilbert stated that Staff and the Planning Commission Board recommends approval of this rezoning.

In Favor
No one came forth.

Opposed
No one came forth.

Motion/second by Commissioners Proctor/Daniel to approve REZONING-21-05, motion carried 5-0.

- d. **PUBLIC HEARING:** To receive public input regarding REZ-21-06. H. Ray Grizzard, owner and applicant is requesting to rezone property located at 10605 US Highway 19, Zebulon GA 30295. The subject property has 1.52+/-acres and is located in Landlot 33 in the 2nd Land District of Pike County. It is further defined as Parcel ID 065 034. Applicant and owner are requesting the property to be rezoned from C-2 General Commercial to C-3 Heavy Commercial to allow for the construction of mini warehouses. Commission District 4, Commissioner James Jenkins.

Planning and Development Director, Jeremy Gilbert, addressed the Board stating the application before them is a rezoning request from C-2 General Commercial to C-3 Heavy Commercial. The property is located at 10605 Highway 19 Zebulon, GA. The applicant is wishing to rezone the subject property to C-3, Heavy Commercial to construct a self-storage facility. The site is located in the Highway 19 Overlay District and will require a special exception to allow the self-storage facility should this rezoning be approved. According to the applicants site plan, the project would consist of 4 storage units and an office. Staff and the Planning Commission Board recommends approval of the request to rezone with the following conditions: (1) A special exception will be required to allow a self-storage facility, (2) All requirements of the Overlay shall be met including a review by the Planning Commission prior to any permits being issued, (3) All parking shall be paved and meet the requirements outlined in the Pike County Code regarding required number of spaces.

In Favor
Ray Grizzard

Opposed
David Allen
Amanda Moreman
Tiffany Moen

Chairman Briar Johnson reminded the Board that they are only deciding on the rezoning and not the actual buildings. Planning and Development Director, Jeremy Gilbert, noted if the rezoning is approved tonight, since it is in the Overlay, the applicant will be required to submit a separate application for the Overlay. The applicant provided a written constitutional objection for the record. Commissioner Jenkins thanked Mr. Grizzard for paying his taxes on the property. Commissioner Jenkins stated he was elected years ago to represent the people and his phone has been blowing up with calls about this going on.

Motion/second by Commissioners Jenkins/Proctor to deny REZONING-21-06, motion carried 3-2, with Chairman Johnson and Commissioner Guy opposing.

- e. **PUBLIC HEARING:** To receive public input regarding REZ-21-07. Carrie Johnson, owner and Ronnie Johnson applicant are requesting to rezone property located at 1776 US Highway 41, Milner GA 30257. The subject property has 30.87+/-acres and is located in Landlot 155 in the 7th Land District of Pike County. It is further defined as a of Parcel ID 087 045 & 087 045 A. The applicant and owner are requesting the property to be rezoned from A-R, Agricultural-Residential to M-2B Heavy Manufacturing for future industrial development. Commission District 3, Commissioner Jason Proctor.

Planning and Development Director, Jeremy Gilbert, addressed the Board stating the application before them is a rezoning of the subject property from A-R, Agricultural Residential to M-2B, Heavy Manufacturing. The property is located at 1776 Highway 41 Milner, GA. The applicant is wishing to rezone the subject property to M-2B, Heavy Manufacturing for future industrial uses that match the surrounding properties in the area. This site is located in the US 41 Overlay District that will have some additional design and landscape regulations beyond that of the base zoning district. In reviewing the US 41 Overlay, the boundaries are 400 feet from the center of the right-of-way of Highway 41 both directions. Based on the right-of-way of Highway 41 being 250 feet, only the first 275 feet of the subject property would be located in the Overlay and bound by the supplemental standards of the Overlay. With the aforementioned information, it is likely that no buildings will be constructed within that area and will not have to meet the requirements of the Overlay, it will only be the additional landscaping requirements that would apply to the first 275 feet of the property. Staff and the Planning Commission Board recommends approval of the request to rezone with the following conditions: (1) The developer shall submit an application for each phase of the development and approval by the Board of Commissioners will be needed prior to any permits being issued, (2) A fifty-foot (50') buffer shall be planted or maintained on all property lines that abut a residentially zoned property meeting the standards outlined in Chapter 164 of the Pike County Code. The applicant provided a written constitutional objection for the record.

In Favor
Ronnie Johnson
David Allen

Opposed
John Brack
Elsa Sell
William Farr

Chairman Briar Johnson asked about the lake that is located on the property, what are the plans for the lake. Jeremy Gilbert replied he is not sure at this point but during their site plan preparation it would have to be determined. If the lake is state waters, it will stay and have buffers and additional requirements. If the lake is determined to be a farm pond, then it may be utilized for something else. Commissioner Daniel asked Jeremy Gilbert to explain how notifications are sent out regarding the rezoning. Mr. Gilbert stated letters are sent to all adjacent property owners within a half mile radius of the subject property. The letters are sent out based on the information on the tax records as to who owns the property. Chairman Johnson asked when does the exteriors come since the Board does not know what the buildings will be at this point. Jeremy Gilbert stated based on the first condition each phase of the development will have to be approved by the Board of Commissioners. For the property in the Overlay, there will be a required meeting in front of the Planning Commission.

Motion/second by Commissioners Proctor/Guy to approve REZONING-21-07 with two conditions, motion carried 5-0. The conditions are as follows:

- 1) **The developer shall submit an application for each phase of the development and approval by the Board of Commissioners will be needed prior to any permits being issued.**
- 2) **A fifty-foot (50') buffer shall be planted or maintained on all property lines that abut a residentially zoned property meeting the standards outlined in Chapter 164 of the Pike County Code.**

- f. **PUBLIC HEARING:** To receive public input regarding REZ-21-08. Mt. Nebo Baptist church Trustees, owner and Southern Cousins Properties, LLC applicant are requesting to rezone property located at 13576 US Highway 19, Zebulon GA 30295. The subject property has 7.44+/-acres and is located in Landlot 91 in the 2nd Land District of Pike County. It is further defined as Parcel ID 075 111 & 075 111 D. Applicant and owner are requesting the property to be rezoned from C-2 General

Commercial to C-3 Heavy Commercial to allow for the construction of mini warehouses. Commission District 4, Commissioner James Jenkins.

Public Hearing for Item f. and Item g. were combined

Planning and Development Director, Jeremy Gilbert, addressed the Board stating the two items before them are the concurrent request for the property located at 13576 Highway 19 North owned by Mt. Nebo Baptist Church Trustees. The applicant is wishing to rezone the subject property from C-2 General Commercial and A-R Agricultural Residential to C-3, Heavy Commercial to construct a mini-warehouse development. The property is approximately 7.44 acres and is located in the US 19 Overlay District and will be required to go through the overlay review process before the development can be constructed. Based on the overlay only the first 400 feet of the property from the center of the right-of-way is located in the overlay and bound by the requirements. Based on the survey submitted, approximately the first 320 feet of the property would be bound by the overlay requirements. It will be extremely close to the code requirement of if 50% of the site is located in the overlay, the entire property shall be bound by the overlay. According to the proposed site plan, the applicant is proposing eight storage buildings and a gravel vehicle storage area. According to the zoning code outside storage is not allowed as a permitted use in the C-3 zoning and would require a special exception approval to all the outside storage. Staff and the Planning Commission recommends approval of the request with the following conditions: (1) The entire site shall be developed in compliance with the US 19 Overlay Ordinance, (2) No rollup doors on any storage building shall be visible from the public right-of-way, (3) A special exception will be required for outside storage to be permissible, (4) A fifty-foot (50') buffer shall be planted or maintained on all property lines that abut a residentially zoned property meeting the standards outlined in Chapter 164 of the Pike County Code. As far as the Special Exception, that application was heard by the Board of Appeals to allow self-storage facilities in the Highway 19 Overlay District. The Board of Appeals recommends approval of the Special Exception. For the record, the applicant provided a written constitutional objection.

In Favor
Allen Harris
Charles Davis
Lora Johnson

Opposed
David Allen
Amanda Moreman

Motion by Commissioner Guy to approve the REZONING-21-08 with the four conditions, motion failed due to lack of second.

Motion/second by Commissioners Jenkins/Proctor to deny REZONING-21-08, motion carried 3-2, with Chairman Johnson and Commissioner Guy opposing.

County Attorney Rob Morton noted Commissioner Jenkins motion was to deny for the same reasons and asked Mr. Jenkins to specify what those reasons are for the record. Commissioner Jenkins stated he was elected to listen to the concerns of the constituents in his area and that is what he has done and will continue to do.

- g. **PUBLIC HEARING:** To receive public input regarding SE-21-12. Mt. Nebo Baptist church Trustees, owner and Southern Cousins Properties, LLC applicant are requesting permission via special exception to allow a self-storage facility in the US Hwy 19 & US Hwy 41 Overlay District, located at 13576 US Hwy 19, Zebulon, GA 30295. The subject property has 7.44+/-acres and is located in Landlot 91 in the 2nd Land District of Pike County. It is further defined as Parcel ID 075 111 & 075 111 D. Commission District: 4, Commissioner: James Jenkins.

Public Hearing for Item f. and Item g. were combined

Special Exception SE-21-12 is a moot point since property was denied rezoning.

- h. **PUBLIC HEARING:** To receive public input regarding REZ-21-09. Frances Chapman, owner and Keith Ballard applicant are requesting to rezone property located at 15177 US Highway 19, Zebulon GA 30295. The subject property has 12.80+/-acres and is located in Landlot 104 in the 2nd Land District of Pike County. It is further defined as Parcel ID 074 089 & 074 089 A. Applicant and owner are requesting the property to be rezoned from A-R Agricultural-Residential to C-3 Heavy Commercial to allow for the construction of a mixed commercial development including mini warehouses. Commission District 4, Commissioner James Jenkins.

Public Hearing for Item h. and Item i. were combined

Planning and Development Director, Jeremy Gilbert, addressed the Board stating the request before them is located at 15177 Highway 19 North, near the Spalding County line. The applicant is requesting a rezoning of the subject property from A-R Agricultural Residential to C-3 Heavy Commercial. The subject property is currently zoned A-R Agricultural Residential and is currently a vacant wooded lot. The applicant is wishing to rezone the subject property to construct a mixed commercial use development consisting of three retail/office buildings and eight mini-warehouses on the 12.80 acres. The site is located in the US 19 Overlay District and will be required to go through the overlay review process before the development can be constructed. Based on the overlay, only the first 400 feet of the property from the center of the right-of-way is located in the overlay and bound by the requirements. Based on the survey submitted, approximately the first 340 feet of the property would be bound by the

overlay requirements. Based on the calculations of the property, it appears that the first 400 feet of the property would exceed the 50% requirement in the code to require the entire site to meet the overlay requirements. Staff and the Planning Commission recommends approval of the request with the following conditions: (1) The entire site shall be developed in compliance with the US 19 Overlay Ordinance, (2) No rollup doors on any storage building shall be visible from the public right-of-way, (3) A fifty-foot (50') buffer shall be planted or maintained on all property lines that abut a residentially zoned property meeting the standards outlined in Chapter 164 of the Pike County Code. As far as the Special Exception, that application was heard by the Board of Appeals to allow self-storage facilities in the Highway 19 Overlay District. The Board of Appeals recommends approval of the Special Exception. For the record, the applicant provided a written constitutional objection.

In Favor
Lora Johnson
Ray Grizzard
David Allen
Allen Harris
Amanda Moreman

Opposed
No one came forth.

Motion/second by Commissioners Jenkins/Proctor to rezone to C-2 and not C-3 as requested, motion denied 2-3, with Chairman Johnson, Commissioner Daniel and Commissioner Guy opposing.

Motion/second by Commissioners Guy/Daniel to approve REZONING-21-09 with three conditions, motion carried 3-2, with Commissioner Jenkins and Commissioner Proctor opposing. Conditions are as follows:

- 1) **The entire site shall be developed in compliance with the US 19 Overlay Ordinance.**
- 2) **No rollup doors on any storage building shall be visible from the public right-of-way.**
- 3) **A fifty-foot (50') buffer shall be planted or maintained on all property lines that abut a residentially zoned property meeting the standards outlined in Chapter 164 of the Pike County Code.**

- i. **PUBLIC HEARING:** To receive public input regarding SE-21-13. Frances Chapman, owner and Keith Ballard applicant are requesting permission via special exception to allow a self-storage facility in the US Hwy 19 & US Hwy 41 Overlay District, located at 15177 US Hwy 19, Zebulon, GA 30295. The subject property has 12.80+/-acres and is located in Landlot 104 in the 2nd Land District of Pike County. It is further defined as Parcel ID 074 089 & 074 089 A. Commission District: 4, Commissioner: James Jenkins.

Public Hearing for Item h. and Item i. were combined

Planning and Development Director, Jeremy Gilbert, noted to the Board that just because the site plan shows where the mini warehouses will be located does not mean that is where they will be. If the Board of Commissioners wants to place conditions upon approval, now would be the time.

Motion/second by Commissioners Daniel/Guy to approve Special Exception-21-13 with one condition, motion carried 3-2, with Commissioner Jenkins and Commissioner Proctor opposing. Condition as follows:

- 1) **Mini warehouses must be built in the back of the proposed Commercial Retail space.**

- j. **PUBLIC HEARING:** To receive public input regarding REZ-21-10. David Nix, owner and Keith Ballard applicant are requesting to rezone property located at 54 Wilder Road, Zebulon GA 30295. The subject property has 3.89+/-acres and is located in Landlot 92 in the 2nd Land District of Pike County. It is further defined as Parcel ID 075 112. Applicant and owner are requesting the property to be rezoned from A-R Agricultural-Residential to C-3 Heavy Commercial to allow for the construction of a mixed commercial development including mini warehouses. Commission District 4, Commissioner James Jenkins.

Public Hearing for Item j. and Item k. were combined

Planning and Development Director, Jeremy Gilbert, addressed the Board stating that the request before them is for a rezoning and Special Exception for property located at 54 Wilder Road. The applicant is requesting a rezoning of the subject property from A-R Agricultural Residential to C-3 Heavy Commercial. The subject property is currently a single-family residential structure. The applicant is wishing to rezone the subject property to construct a mixed commercial use development consisting of two retail/office building and one mini warehouse building on the 3.89 acres. The site is located in the US 19 Overlay District and will be required to go through the overlay review process before the development can be constructed. Based on the overlay, only the first 400 feet of the property from the center of the right-of-way is located in the overlay and bound by the requirements. Based on the survey submitted, approximately the first 320 feet of the property would be bound by the overlay requirements. Based on the calculations of the property, it appears that the first 400 feet of the property would exceed the 50% requirement in the code to require the entire site to meet the overlay requirements. Staff and the Planning Commission recommends approval of the request to rezone with the following conditions: (1) The entire site shall be developed in compliance with the US 19 Overlay

Ordinance, (2) No rollup doors on any storage building shall be visible from the public right-of-way, (3) A Fifty-foot (50') buffer shall be planted or maintained on all property lines that abut a residentially zoned property meeting the standards outlined in Chapter 164 of the Pike County Code. As far as the Special Exception, that application was heard by the Board of Appeals to allow self-storage facilities in the Highway 19 Overlay District. The Board of Appeals recommends approval of the Special Exception with a condition that access to the site be off Highway 19 and not Wilder Road. The Highway 19 access is regulated by Georgia Department of Transportation. For the record, the applicant provided a written constitutional objection.

In Favor
Lora Johnson

Opposed
David Allen
Amanda Moreman

County Attorney Rob Morton addressed the Board stating based on information that was conveyed during the Public Hearing, it has been confirmed that notice provisions for this rezoning have not been met. The Rezoning application and Special Exception application cannot be considered at this time. There will be notices that will have to be posted on each public street frontage. Morton recommended to stop the Public Hearing at this time for the rezoning and special exception, due process has not been met and readvertise.

- k. **PUBLIC HEARING:** To receive public input regarding SE-21-14. David Nix, owner and Keith Ballard applicant are requesting permission via special exception to allow a self-storage facility in the US Hwy 19 & US Hwy 41 Overlay District, located at 54 Wilder Road, Zebulon, GA 30295. The subject property has 3.89+/-acres and is located in Landlot 92 in the 2nd Land District of Pike County. It is further defined as Parcel Id 075 112. Commission District: 4, Commissioner: James Jenkins.

Public Hearing for Item j. and Item k. were combined

The Special Exception application cannot be considered at this time. The rezoning application has to be readvertised.

- l. **PUBLIC HEARING:** To receive public input regarding Text Amendments of the Pike County Code of Ordinances Title XV: Land Usage, Chapter 155 Subdivisions and Chapter 156 Zoning Code, the text amendments will be to multiple Sections of each Chapter in reference to the Platting Authority of Pike County.

Planning and Development Director, Jeremy Gilbert, addressed the Board stating the way the code reads today regarding the platting authority is if you have a major subdivision any alterations to the major subdivision must go before the Board of Commissioners for approval to amend it. Based on the recommendation that was submitted by Staff to change the Major Subdivisions to allow the Administrative Official/Zoning Administrator shall have the authority to approve minor changes to previously approved final plats for Major Subdivisions, where the proposed revision(s) is/are considered minor in nature such as correcting errors in the previously filed plat or constitute(s) a reconfiguration of a previously approved plat that does not increase the total number of lots.

Comments
Steve Reeves

Motion/second by Commissioners Jenkins/Guy to approve the first reading, motion carried 5-0.

- m. **PUBLIC HEARING:** To receive public input regarding the adoption of the 2021 update to the Pike County, Georgia Official Zoning Map in accordance with the Pike County Zoning Code.

Planning and Development Director, Jeremy Gilbert, addressed the Board stating Pike County has been working on updating its official zoning map for a few years now and have finally completed the update to the map. Staff and the Planning Commission are recommending approval to the Board of Commissioners to adopt the new zoning map that will reflect all the rezoning that have been approved since the last zoning map was approved in March 2016. The new zoning map has been updated through the beginning of 2021.

Comments
David Allen
Steve Reeves

Motion/second by Commissioners Daniel/Proctor to approve the first reading of the updated Zoning Map, motion carried 5-0.

10. PUBLIC COMMENT - NONE

11. EXECUTIVE SESSION - NONE

12. ADJOURNMENT

Motion/second by Commissioners Guy/Proctor to adjourn at 8:36 p.m., motion carried 5-0.

J. Briar Johnson, Chairman

Angela Blount, County Clerk