

PAULDING COUNTY PLANNING COMMISSION MEETING
February 28, 2023

The regular meeting of the Paulding County Planning Commission was held on February 28, 2023 in the Watson Government Administration Building. Planning Commission members in attendance were Chairman Jody Palmer; Roger Leggett; Jim Henson, Ellis Astin, Helene Fitzgerald, Jacob Wix and James Steele. Commissioner Sandy Kaecher; Commissioner Keith Dunn, Commissioner Virginia Galloway and County Attorney, J. Jayson Phillips were present. Staff in attendance included Community Development Director, Ann Lippmann; Planning and Zoning Senior Administrative Assistant, Leah Wilson; Department of Transportation Deputy Director, Erica Parish; Director of Operations, Scott Greene; and Deputy Rodney Schubert from the Paulding County Marshal Bureau.

Planning Commission Chairman Jody Palmer called the meeting to order at 2:00 PM.

Chairman Palmer requested everyone turn off or silence all audible devices; and proceeded by hearing a motion to elect officers for the 2023 Planning Commission Board.

Jim Henson nominated Jody Palmer to remain as Chairman; seconded by Roger Leggett.
Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Steele and Wix
AGAINST: None
ABSTAIN: Palmer

Ellis Astin nominated Roger Leggett to remain as Vice-Chairman; seconded by James Steele.
Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Steele and Wix
AGAINST: None
ABSTAIN: Palmer

Chairman Palmer introduced the newest member, appointed by the Board of Commissioner's Chairman to the Planning Commission, Mr. Jacob Wix with the Paulding County School Board.

Approval of Minutes

James Steele made a motion to adopt the Planning Commission meeting minutes from November 29, 2022; seconded by Helene Fitzgerald. Motion carried. (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Steele and Wix
AGAINST: None
ABSTAIN: Palmer

Printed copies of the agenda and Conduct of Hearing were made available for the public.

Policy and Procedures state applicants and anyone speaking on behalf of the application will have fifteen (15) minutes to make their presentation and any opposition will also have fifteen minutes to present. The fifteen minutes are cumulative for each side. All comments are to be addressed to the Chairman.

It was explained this is a recommending body and any action taken today will be forwarded to the Board of Commissioners for final approval. The Paulding Board of Commissioners next meeting will be March 14, 2023 at 2:00 p.m. with the exception of the one application to be forwarded to the city council of Hiram.

2023-01-Z: Application by **AMY EVANS**, requesting to rezone 63.17 acres from R-2 (Suburban Residential) to A-1 (Agricultural) for agricultural purposes. Property is located in Land Lots 986-988, 973 & 974; District 19; Section 3; property address is 823 Wilson Road, Temple GA. **POST 2.**

Community Director Ann Lippmann noted there was one call with questions or concerns. Staff recommends approval.

Amy Evans emphasized her intentions for rezoning the property for the purposes of a small hobby farm. Mrs. Evans stated she would grow and resell small plants and tend to a few animals.

There was a brief discussion between Planning Commission and the applicant regarding the types of plants and animals Mrs. Evans would have onsite, as well as the percentage of products she plans to sell.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

James Steele made a motion to **APPROVE** application **2023-01-Z**, seconded by Jim Henson. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Steele and Wix
AGAINST: None
ABSTAIN: Palmer

The recommendation will be forwarded for consideration to the Paulding Board of Commissioners' meeting on March 14, 2023 at 2:00 PM. Applicant must be present for it to be considered.

2023-01-LUP (CoH): Application by **JANET S. MCMILLEN c/o EDWIN M. CECCARELLI, ATTORNEY AT LAW**, requesting to renew the current Land Use Permit for property to remain a private dwelling for applicant, and operator of the permitted business use. Property is located in Land Lot 681; District 2; Section 3; address is 590 Hiram Douglasville Highway in Hiram Georgia. **POST 3.**

Community Director Ann Lippmann noted there have been no calls with questions or concerns. Staff recommends approval with one stipulation.

Edwin Ceccarelli, attorney for applicant, summarized the request to renew the existing Land Use Permit. Mr. Ceccarelli pointed out the significant improvements made to the property since he last visited. Mr. Ceccarelli pointed out there would be little impact to traffic entering / existing the property. He also discussed the financial hardship(s) of the applicant. Mr. Ceccarelli and client agree to the stipulation provided by staff and requests approval from the committee.

There was discussion between the Planning Commission, Staff and Mr. Ceccarelli.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

Jim Henson motioned to **APPROVE** application **2023-01-LUP** with the listed stipulation:

- 1. Owner/Applicant agrees approval of this LUP is not transferable to another owner other than the current property owner/applicant.**

Seconded by Ellis Astin. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Steele and Wix
AGAINST: None
ABSTAIN: Palmer

This recommendation will be forwarded to Clifford McGrady with the City of Hiram to be scheduled for their next meeting.

2023-02-Z: Application by **ROCK TOLER**, requesting to rezone property from R-2 (Suburban Residential) to A-1 (Agricultural) for the intended purposes of a small hobby farm. Property is located in Land Lot 589; District 3; Section 3; property address is 500 School Road. **POST 4.**

Community Director Ann Lippmann noted there have been no calls with questions or concerns. Staff recommends approval.

Robert (Rock) Toler stated this is his residence and is surrounded by family property. His intention is to rezone in order to establish a small hobby farm, not to be confused with "self-sufficiency". Mr. Toler

went on to state he and his family are looking differently at where food comes from and plans to teach his children how to grow their own food. Mr. Toler also explained the immediate need for chickens.

There was a brief discussion between Planning Commission and the applicant regarding what other animals would be included on the property and how many.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There was no one with comments or concerns to the application.

Roger Leggett made a motion to **APPROVE** application **2023-02-Z**, seconded by Helene Fitzgerald. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Steele and Wix
AGAINST: None
ABSTAIN: Palmer

The recommendation will be forwarded for consideration to the Paulding Board of Commissioners' meeting on March 14, 2023 at 2:00 PM. Applicant must be present for it to be considered.

2023-01-SUP: Application by **DALLAS MEATH PROPERTIES, LLC**, requesting a Special Use Permit on 17.13 acres of I-2 (Heavy Industrial District) tract to operate a crushing and screening activities facility (earth material recycling). Property is located in Land Lot 1277; District 3; Section 3; north of Brooks Road and Old County Farm Road. **POST 4.**

Community Director Ann Lippmann noted there was one call with questions or concerns. Staff recommends approval with five (5) stipulations.

Joel Larkin, attorney for the applicant, introduced his clients to board members stating they have outgrown their current business property and found the vacant site a great opportunity to move. The proposed business would mainly consist of hauling and crushing concrete. Mr. Larkin noted they have worked with Staff, PDOT and concerned neighbors (The Vickory's) to ensure traffic and noise levels would not present a nuisance; and, the clients are aware of concerns regarding dust and have a management plan in place. Mr. Larkin and applicant are amenable to staff's recommendations.

There was discussion between Planning Commission, Board of Commissioners and applicant addressing modifying the operation of hours, required state permits, potential material contamination, buffers and traffic count.

Support/Input/Comments

There was no one to speak on behalf of the application.

Opposition/Input/Comments

There were two individuals with comments, questions or concerns regarding the application.

Dee Dyer, a resident, voiced his concerns about the dust and potential water run-off to his and surrounding properties.

James Brooks, a resident, stated his family owns the 50 acres surrounding the potential crushing site, and is concerned about the impact this may have on his property value. Mr. Brooks also asked what plan is in action to test for debris contamination.

Mr. Larkin addressed the concerns of water run-off concluding those issues will be resolved through a treatment plan provided by a certified engineer. In addition, Mr. Larkin mentioned he is willing to give his contact information to those present having any additional questions or concerns.

No further questions from the Planning Commission or Board of Commissioners.

Ellis Astin motioned to **TABLE** application **2023-01-SUP** to the next public meeting for additional staff review, seconded by James Steele. Motion carried (6-0-1). Application will be tabled to the **March 28, 2023** Planning Commission meeting.

FOR: Astin, Fitzgerald, Henson, Leggett, Steele and Wix
AGAINST: None
ABSTAIN: Palmer

Zoning Ordinance Text Amendment: Public Hearing: Paulding County, Georgia will consider Zoning Ordinance Text Amendments to Title 1: Administration and Title 2: Zoning of the Unified Development Ordinance for Paulding County, Georgia.

Community Director Ann Lippmann summarized the key changes to the UDO (Unified Development Ordinance) as it relates to Distilled Spirits Retailers and Distilleries, Recycled Water usage in New Car Washes, and the inactive LDQRD Zoning District to be amended as Ordinance No. 2023-04.

There was a brief discussion among Board of Commissioners, Staff and Planning Commission.

Chairman Jody Palmer opened the floor for public comment, in which there were none.

Public comment portion is closed.

Roger Leggett made a motion to **APPROVE** zoning ordinance text amendment **2023-04**, seconded by James Steele. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Steele and Wix
AGAINST: None
ABSTAIN: Palmer

The recommendation will be forwarded for consideration to the Paulding Board of Commissioners' meeting on March 14, 2023 at 2:00 PM.

There being no further business, a motion to adjourn was made by James Steele; seconded by Helene Fitzgerald. Motion carried (6-0-1).

FOR: Astin, Fitzgerald, Henson, Leggett, Sever and Steele
AGAINST: None
ABSTAIN: Palmer

The meeting adjourned at 3:34 PM.

Jody Palmer, Chairman

Roger Leggett, Vice-Chairman