

FRANKLIN COUNTY
BOARD OF COMMISSIONERS
PUBLIC HEARING MINUTES
September 12, 2016
5:30 P.M.

Present: Commission Chairman Thomas Bridges
District 1 Commissioner Robert Franklin
District 2 Commissioner David Strickland
District 3 Commissioner Jeff Jacques
District 4 Commissioner Eddie Wester

Media: Shane Scoggins, *Franklin County Citizen*
Buddy Hardigree, *WLHR*

Staff: County Manager, Beth Thomas
County Clerk, Elaine Evans
County Engineer, John Phillips
County Attorney, Bubba Samuels

Chairman Bridges opened the public hearing with a welcome to everyone. He said that there are two items to be discussed. One item is Jimmy Hansel Ramey and the other is Christopher and Wanda Hart, both are for a conditional use permit. Chairman Bridges said that the public hearing is for a total of 30 minutes, which will give each item 15 minutes. Comments will be allowed until the close of the meeting at 6 p.m.

Chairman Bridges asked if anyone would like to come forward to speak for the conditional use request from **Christopher and Wanda Hart**. Christopher and Wanda Hart came forward to speak. Wanda Hart stated that she and her husband are trying to get the permit to build two chicken houses for Pilgrim's Pride. She said that the planned location has a buffer of trees around the property so that the neighbors will not be disturbed. Mrs. Hart said that she does not think that there is any opposition to their building the chicken houses. Chairman Bridges asked Mrs. Hart to tell the Commission Board what kind of operation they have planned. Mrs. Hart said that they are planning to build layer houses.

Christopher Hart told the Commission Board that this is the first time that he and his wife have ever done anything like this. Chairman Bridges said that is okay. He then reaffirmed that Christopher and Wanda Hart are seeking approval from the Commission Board to build the poultry houses. Mr. and Mrs. Hart stated yes sir, that they have turned all the maps and everything into the County.

Chairman Bridges asked if anyone opposed the conditional use request from Christopher and Wanda Hart. There was no opposition. Chairman Bridges said that the item will be left open for anyone to have a chance to speak.

The next item to be discussed was the conditional use request by **Jimmy Hansel**

Ramey. Chairman Bridges asked Mr. Ramey to come forward and speak on behalf of why the Commission Board should approve the request. Jimmy Hansel Ramey and his wife Casey Ramey came forward to speak. Mr. Ramey said that he and his wife are coming before the Board to request approval for their conditional use permit to build poultry houses. He said that they are planning to build two 320 feet long Cobb Vantress houses. Mr. Ramey also said that they want to use half of the acreage for cattle which is what it is currently being used for.

Mr. Ramey said that in order for the poultry houses to fit correctly on the property they are going with two 320 feet long houses instead of one 640 feet long house. He said that the two houses should provide an additional buffer on the side. There is also a tree line that provides a natural buffer on the other side. Mr. Ramey stated that they have been approved by Cobb Vantress and offered a 15 year guaranteed contract. He said that they are relocating from Hall County and are very excited about this new venture. Mr. Ramey said that he and his family want to be part of the community and good neighbors and be part of what makes Franklin County great. Mrs. Ramey stated that they are really excited about becoming part of the Franklin County family.

Commissioner Franklin asked how long it will take for the houses to be built. Mr. Ramey said that all the bids are lined up and they are estimating that it will take six to nine months. The houses are being built by Abercrombie. Commissioner Strickland asked where the houses are being built. Mr. Ramey said that it is right off of Hwy 59. He said that Cobb Vantress requires the houses to lay east to west. It takes a special kind of property to meet this requirement. Mr. Ramey said that this property is perfect for that requirement. Franklin County requires an offset of 300 feet so it was necessary to make sure that the ground was suitable for grading. Commissioner Strickland asked if these were the houses that had to be tweaked just a little bit to go east to west. Mr. Ramey said that there is plenty of room. He said that they made their own decision to move the houses because of the large property.

Chairman Bridges asked if anyone would like to oppose the request from Mr. Ramey. Ken Lewis came forward and stated that he is an attorney from Winder, Georgia who is representing Mr. Sadler. Mr. Lewis said that the Commission should have received a letter that was submitted to them on behalf of Mr. Sadler. He said that he will not go through the whole letter but he will highlight some of the key issues. Mr. Lewis said that Mr. Ramey stated that the property has not been tweaked but Mr. Phillips has done a review of inhabitable dwellings near the property and there are some setback issues. A rough plan of calculations by Mr. Lewis of the required 600 feet from the exhaust area of the houses was done and he stated that the houses will barely fit on the property.

Mr. Lewis stated that there are two main issues that he objects to for the conditional use of this property. The first is that there is not an appropriate site plan. A site plan is critical and is required under the Code of Franklin County. Mr. Lewis stated that no site plan was submitted. He did commend Mr. Phillips for helping and drawing some pictures and laying this out. Mr. Lewis stated that Mr. Sadler's property faces where the two large chicken houses will be located and this will be an issue. There is no site plan to tell where parking will be or where exactly the houses will be placed. Mr. Lewis then stated that the property is minimally acceptable for the proposed houses; maybe they will squeeze in there, but it will be a really tight fit.

The second issue that Mr. Lewis stated that he has is that the County has not gone through the proper due process procedure. Mr. Sadler cannot evaluate this as there is not a site plan to clearly define where everything will be located. A site plan is a required element in the Code. Mr. Lewis said that from a basic due process argument he and Mr. Sadler object to the Commissioners approving the conditional use because there isn't the required information. There are also problems with ingress and egress on Nelms Road. Mr. Lewis said that Nelms Road is a narrow road and there is no way that a tractor trailer can get down it so he is sure that the traffic will come off the main road.

Mr. Lewis again recommended to the Commission Board that they deny the request from Mr. Ramey. He stated that this would not prevent Mr. Ramey from coming back in the future and submitting all the required documents. Mr. Lewis said that this piece of property is not suitable for a conditional use permit. He said that a layer house will produce more noxious and offensive orders than a standard poultry house. Mr. Lewis said that this property has been developed as an upper scale ranch or farm. He stated that Mr. Sadler bought this property with that expectation.

Chairman Bridges asked if anyone else would like to speak for or against one of the presented items. Mr. Sadler came forward to speak against the request from Mr. Ramey. He said that he has been there 10 years and he spent five years looking for that piece of property. Mr. Sadler said that he went to the Planning Commission before he purchased the property to look at the future of Franklin County. He said that there have been a lot of changes since 2006. Franklin County is mostly farming community and that is what he wanted to be in.

Mr. Sadler said that he has a mile and half of river frontage and he has looked at all his setbacks. He owns over a third of the distance of Nelms Road. He also owns both sides of Nelms Road for over a quarter of the distance. Mr. Sadler said that he thought he was protected. He said that he has been developing this property for over 10 years with the hopes of moving onto it someday. There is an onslaught of issues coming into Franklin County per Mr. Sadler. He said that it is easy to accommodate something that was originally designed for a farmer and take part of his property and get additional income. This has become an industry.

There were no additional comments for or against the two conditional use requests. The meeting adjourned at 5:54 p.m.

Signed on the _____ day of _____, 2016

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

David R. Strickland, District 2 Commissioner

Jeff Jacques, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Elaine H. Evans, County Clerk