Walker County Planning Commission
Minutes

October 17, 2024
Walker County Civic Center
6:00 PM

ATTENDEES:

Planning Commission Members
Michael Haney
Randy Pittman
Todd Holt
Michael Hicks
Cindy Askew
Stan Porter
John Morehouse
Rob Walthour
Zack Chapman
Jon Hentz

Walker County Planning Staff
Jon Pursley, Planning Director
Kristy Parker, Planning Commission Secretary

I. CALL TO ORDER:

Chairman Haney called the meeting to order at 6:00 P.M.

II. ROLL CALL

III. READING & APPROVAL OF THE AUGUST 15, 2024 MEETING MINUTES:

Chairman Haney asked if there was a motion to approve or deny the minutes. Stan Porter made a motion to approve. Todd Holt seconded the motion to approve. The vote was unanimous. Motion to approve minutes carried.

IV. MOTION TO OPEN THE PUBLIC HEARING:

Chairman Haney asked for a motion to open the public hearing. John Morehouse made a motion to open the public hearing. Michael Hicks seconded the motion. The vote was unanimous. Motion to open the public hearing carried.

V. PUBLIC HEARING:

Variance:

1. **Teresa Huddleston:** Chairman Haney stated that the Planning Office staff stated that Ms. Huddleston had called and withdrew her request.

2. **Travis Pozzoban:** Chairman Haney asked if anyone was present for Mr. Pozzoban. Mr. Pozzoban was not present, but Kristy Parker with the Planning Office explained that Mr. Pozzoban has three plus acres in an A-1 zone and was requesting a variance to divide off one acre to sell for financial reasons.

Rezone:

1. **Genelle Harris:** Chairman Haney asked if there was anyone present for Ms. Harris. Stevie Harris came forward and stated that he would be representing his mother Genelle Harris. He said that she would like to rezone the property to R-2 in order to divide it to give to her children.

2. **Hawks Ridge Holdings LLC:** Chairman Haney asked if someone was present on behalf of Hawks Ridge. Ben Hagaman came forward and stated that they were requesting to change six acres of the commercial part of the property over to PUD and add thirty-two more lots for houses. Cindy Askew asked about the green space area for the PUD and extra lots. Michael Hicks asked about a community playground. Ben explained about the greenspace and playground area. Jon explained that they could rezone the whole corner to PUD and still be able to put commerical but some businesses want it zoned commercial.

Questions from audience on variances, rezones:

1. **Teresa Huddleston variance:** Chairman Haney stated this had been withdrawn.

2. **Travis Pozzobon variance:** Chairman Haney asked if anyone was for or against this. There were no questions.

3. **Genelle Harris rezone:** Chairman Haney asked if anyone was for or against this request. Ned Yates asked if the property across the road would not cause a problem for them needing to be five acre lots to build on. Jon Pursley explained that was why they were asking for the rezone so the lots could be smaller. Jamie Hulsey asked would it not set a precedence that would allow R-2 zoning to keep growing. Jon explained that lots on the other side already do not meet the A-1 requirments.

4. **Hawks Ridge Holdings LLC:** Chairman Haney asked if anyone was for or against this request. Scott McNabb asked if the original PUD allowed for three non commercial drives. He also talked about the road studies and DOT right-of ways. Jon explanined that they have been working with the DOT on the entrances.

Special Use Permit 3:

McLemore Club LLC: Chairman Haney asked if anyone was present for McLemore. Duane Horton, Conley Clements and Shawn Power came forward and Mr. Horton explained that they were requesting a Special Use 3 permit for an outdoor firing range. He said that it would be shotgun only with 14 to 15 shooting stations. Ms. Clements said that they would like to have it so schools could have learning classes there. Stan Porter asked if once approved could they up and change to any firearms and he was told that they would have to come back before this board for approval. Randy Pittman asked it this would affect the view of the bluff and Mr. Horton said no. Zack Chapman asked about the buffer area. Todd Holt asked if there would be a ranger master on site every day and Mr. Horton said yes because everyone needed to make sure they were trained. Cindy Askew asked if there were any regulations due to being across the road from a camp. Jon said that it does not address that in the ordiance.

Amendments To Land Development Regulations: Chairman Haney asked Jon Pursley to explain a little about the amendments. Jon stated that these updates will kinda clean up some of the ordinaces. He read over each one. Chairman Haney asked if anyone on the Board had any questions. Cindy Askew stated that she did not think that the poulrty setbacks were written as clear as they could have been. She said she was on the committee that came up with these regulations and went over the setbacks for the poultry houses and the residential houses that could be built next to the poultry houses. She said that these setbacks are to protect the poultry farms as well as the residents. Jon Pursley went over setback requirements in surrounding counties. It was also discussed about existing poultry houses being grandfathered in if the houses were destroyed by fire or natural disaster. Michael Hicks spoke about the buffer being a burden on the residentail owner and how it should be on the poultry owner.

Questions from audience on Special Use and Amendments:

1. **Special Use Permit 3 McLemore.** Chairman Haney stated that he would go by the list of people that signed up to speak. Trey Cummings came up and stated he is a land owner close by and he was not in favor of this due to the noice and enviromnetal reasons. Scott McNabb came forward and said that the maps that were provided did not match up. He showed maps of the diffrences. Jay McClure came forward and stated that he is not in favor of this and said that he feels like that McLemore did not have a correct application filed for this request. He provided a notice of constitutional challenge on the matter. He also said that the maps were not correct. Kathie McClure came up and said that she was not in favor of the request and also said that McLemore did not have a complete application filled out with the county. Ed Davis stood up and said was not in favor. JL Compton came forward and said that he owns property that touches this property. He said that his family hunts and rides ATV's and is concerned about the firing range and also the easements that they have running through this property. He is also concerned about the noise. Kyla Compton spoke that she is also not in favor of this and their children ride the easements through here every day and that the buffers need to be more. Rusty Hays said that this board needs to be there for the citizens and not investors. Susan Hays said that she is worried about the noise and impact on the community. Jamie Hulsey spoke on McLemore and was concerned on the noise and the hunters being impacted. Steve Bridges spoke that he lives about a mile and a half from this property and is worried about it expanding and moving closer to him. He also said it will affect the quality of life for the people living up there. Elizabeth Bridges said that she was not in favor of the request. Robert Jaquith came forward and said that he is not in favor of this. He stated he served in the military and has PTSD and would not want to hear all the gun shots that will be going on. Ned Yates

came forward and talked about the impact on the land from the ammunition used on site. He said that he was not in favor. Josh Hale came up and said that they have a farm close to this property and he is not in favor. He said with all the gun fire it will affect the wildlife. Jim Weathers spoke and said he was not in favor of this and was concerned about the noise and affect on the land. Jamie Hulsey asked why this is not considered a commercial use because they will be selling items. Mr. Miller came forward and said that he would like to know why McLemore is not building this at their site where the golf cource and hotel is located so they could just be shuttled across the road and he is not in favor.

2. **Amendments to Land Development Regulations:** Chairman Haney asked Scott McNabb to speak. Scott McNabb stated that he did some drawing on the setbacks for poulty houses at one time and thinks that might have been helpful to have. Gary Williams came up and was concerned about the proposed camper ordinace. He did not think it would be right if someone was in town for a family emergency and was needing to stay in a camper while here. David Cobb came forward and stated his concern for the poultry setbacks. He feels like it will hurt the current poultry famers. Jamie Hulsey came forward and talked about the reduction of farm land. Cindy Askew explained that this setback would not take away from the farmland because the buffer area could still be planted and used as agricultural.

VI. MOTION TO CLOSE THE PUBLIC HEARING:

Chairman Haney asked if there was a motion to close the public hearing. Todd Holt made a motion to close the public hearing. John Morehouse seconded the motion. The vote was unanimous. Motion to close the public hearing carried.

VII. MOTION TO GO INTO NEW BUSINESS:

Chairman Haney asked if there was a motion to open new business. Todd Holt made a motion to open new business. John Morehouse seconded the motion. The vote was unanimous. Motion to open new business carried.

VIII. NEW BUSINESS:

1. Teresa Huddleston: This was withdrawn from the agenda.

2. Travis Pozzobon: Chairman Haney asked if there was a motion to approve or deny and if deny a reason why. Cindy Askew made a motion to deny due to it creating another lot not meeting the requirements for A-1. Stan Porter seconded the motion to deny. The vote was unanimous. Motion to deny carried.

3. Genelle Harris: Chairman Haney asked if there was a motion to approve or deny and if deny a reason why. Stan Porter made a motion to approve. Randy Pittman seconded the motion to approve. The vote was six in favor to approve and three not in favor. Motion to approve carried.

4. Hawks Ridge Holdings LLC: Chairman Haney asked if there was a motion to approve or deny and if deny a reason why. Jon Hentz made a motion to deny because he cannot support a rezone of a PUD without a rendering of the PUD and 32 units on six acres. Stan Porter seconded the motion to deny. Motion to deny unanimous.

5. McLemore Club LLC: Chairman Haney asked if there was a motion to approve or deny and if deny a reason why. Stan Porter asked if the proper procedures were done for this application. Mr. Horton came up and stated that he thought some of that information was about the buildings and not the request. He also stated that he saw the map that was sent for the first time tonight and that it was shifted and not correct. He said that he would not feel comfortable with this Board voting on this due to that and would resubmit the application. Someone from the audience said that they feel like the Board has to vote yes or no tonight. Zack Chapman made a motion to deny due to the ordinance saying a buffer of 500 feet is required and no plans show that. Michael Hicks seconded the motion to deny. Motion to deny carried.

6.Amendments to Land Development Regulations: Chairman Haney asked if there were any questions. Zack Chapman said that he did not understand that this would need to be voted on as a whole. Zack said he was not clear on section G and could it be explained. Jon went over that section. Zack said to him it was contradicting. There was discussion on how to vote on it as a whole. Zack also had questions on solar farms and clarification on that. The Board then talked about tabling it until a work session could be done. The Board decided to have a work session an hour before the next Planning Commission meeting. Stan Porter made a motion to table. Todd Holt seconded the motion to table. The vote to table was unanimous. Motion to table carried.

XI: <u>ADJOURNMENT:</u>

Chairman Haney asked if there was a motion to adjorn. Zack Chapman made a motion to adjorn. Todd Holt seconded the motion. Vote was unanimous.

Date Submitted: Planning Commission Chairman

Date Submitted: Planning Commission Secretary

Date Submitted: Planning Commission Director