

**CAMDEN COUNTY, GEORGIA
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
NOVEMBER 19, 2013, 6:00 PM**

A regular meeting of the Camden County Board of County Commissioners was held at 6:00 p.m. on Tuesday, November 19, 2013, in the Board of County Commissioners' Meeting Chambers of the Government Services Building, Woodbine, Georgia.

Chairman Keene called the meeting to order at 6:00 p.m.

Finance & Budget Director Mike Fender delivered the invocation.

Chairman Keene led the Pledge of Allegiance.

Present: Chair Willis R. Keene, Jr.; Vice-Chair Jimmy Starline.; Commissioner Gary Blount; Commissioner Chuck Clark; County Administrator Steve Howard; County Attorney Brent Green; and County Clerk Katie Bishop.

Commissioner Tony Sheppard was absent.

Agenda Amendments:

Added item under Regular Agenda:

8. Presentation of findings and action regarding Operational Consolidation.

Vice-Chairman Starline made a motion, seconded by Commissioner Blount to adopt the agenda amendments as presented.

The motion carried unanimously.

Motion to Adopt the Agenda:

Addition to Regular Agenda

Commissioner Blount made a motion, seconded by Vice-Chairman Starline to adopt the agenda as amended.

The motion carried unanimously

Approval of Minutes

- November 5, 2013 Regular Meeting minutes

Commissioner Clark made a motion, seconded by Chairman Keene to approve the November 5, 2013 Regular Meeting minutes.

The motion carried unanimously.

Public Comments

No comments from the public were offered during this time.

Commissioner Blount made a motion, seconded by Vice-Chairman Starline to adjourn the regular meeting at 6:05 PM.

Chairman Keene convened the public hearing at 6:05 PM.

Public Hearing

- Introduction of regular agenda items 1 – 3 by Planning & Development Director John Peterson and receive public comments regarding this item.

Planning & Development Director John Peterson presented a power point presentation regarding items 1 – 3.

Proposed Unified Development Code Amendments (UDC), Proposal to amend UDC Sec. 205 and UDC Sec. 1505 by adding the definition of "Distillery, Micro or Craft" to each section, and Proposal to amend UDC Sec. 228 – Table 2.2 Allowed Land Uses by Zoning District by adding to PERMITTED LAND USES on NAICS CODE line 31214 "and Micro or Craft Distilleries" in the A-F Zoning District by Special Use approval.

Public Comments in favor of the Proposed UDC Amendments:

No comments were offered during this time.

Public Comments opposed to the Proposed UDC Amendments:

Stanley Johnson, 40 Folly Oak Trail

Mr. Johnson stated that he was against the proposed amendments to the Unified Development Code regarding adding the definition of Distillery, Micro or Craft to each section, as well as the addition of the same allowed by Special Use Permit to the permitted land uses in the A-F zoning district.

Rebuttal:

No rebuttal regarding the proposed amendments offered during this time.

Consideration of request by Bennett Surveying (#RZ2013-06) for rezoning from A-F (Agricultural-Forestry) to A-R, (Agricultural-Residential) for 2.12 acres at 365 Powerline Path, Woodbine, GA. The Future Land Use Map shows "Rural-Residential" on Tax Map 078, Parcel 015.

Public Comments in favor of the request by Bennett Surveying:

No comments were offered during this time.

Public Comments opposed to the request by Bennett Surveying:

No comments were offered during this time.

Rebuttal:

No rebuttal from the applicant offered during this time.

Consideration of request by Ronald & Katherine Lewis (#SU2013-04) for Special Use approval for a Micro or Craft Distillery on the property located at 4457 Dover Bluff Road shown as Tax Map 126, Parcel 020. The property is zoned A-F with the Future Land Use shown as General Agriculture-Forestry.

Public Comments in favor of the Proposed UDC Amendments:

No comments were offered during this time.

Public Comments opposed to the Proposed UDC Amendments:

Kathleen Coleman, 4273 Dover Bluff Road

Ms. Coleman stated that she was opposed to the request by Ronald & Katherine Lewis for Special Use approval for a Micro or Craft Distillery on the property.

Stanley Johnson, 40 Folly Oak Trail

Mr. Johnson read the following letter and petition of opposed residents to the Board:

Stanley Johnson
40 Holly Oak Trail
Waverly, GA 31565
11/19/2013
Re: Special use request #SU2013-04 of Mr. Ronald Lewis

Dear Commissioners,

My home is diagonally across Dover Bluff road from Mr. Lewis' property. The closest corner of my property is a measured distance of 150 ft. from the entrance of subject building.

According to the Zoning and Future Land Use (FLU) maps provided by the Planning Committee the entire area is zoned residential. Mr. Lewis states in his letter of intent of 9-23-13 the building is "classified by Camden County as commercial and has been licensed by the county as a seafood business since 2008". Then later "The property is A-F General Agriculture". The legality of a commercial building situated on property which is A-F was discussed at some length at the Planning Committee meeting on 10-30-13. The problem seems to be a commercial building on non-commercial property. How can this be possible? I am certainly not very familiar with the UDC but looking at table 2-2 and other places I cannot find the basis for this. The way it seemed to me Mr. Green, the legal representative, considered it to be impossible to have a commercial building on property zoned A-F. Mr. Lewis claimed he had papers from Camden County to the contrary. As far as I could determine from the discussion the issue was not satisfactorily resolved. I feel it is important to settle this matter since if it would be improper, or illegal, everything else is irrelevant.

I would like to make a few more pertinent comments.

Included in the definition of "Special Use" is the statement, in "relation to the neighborhood" would it "promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare". I fail to see how a liquor distillery in a residential area would satisfy the requirement to "promote" any of these criteria. The word "promote" cries for enhancement and improvement etc. On the contrary, increased traffic in a residential area, an influx of who knows what sort of persons and other factors would only serve to devalue surrounding property. Please refer to the included statement from Sharon Rawl a realtor with an office on Dover Bluff Rd. Home prices in the proximity of liquor sales,

manufacturing etc. are historically lower than homes in other areas. This distillery would not only devalue the surrounding property but make it difficult to sell if/when the time comes.

In the Planning Committee meeting on 10-30-13, the chairman questioned Mr. Lewis very pointedly about the security of the prospective building, whether it would withstand an attempt at thievery. This is exactly my concern, not for his building but for our entire area. It has been relatively safe and quiet (there have been a few break-ins of vacant homes), but I feel this type of business would draw the attention of thieves and other nefarious people intent on no good. Our area has no regular police patrols or other source of security as in a city or town environment. Mr. Lewis has an outside light (which most of the time is off) but there are no other street lights. This is just one of the items, safety, from the above list, which would be detrimental.

There are also "Standards" (UDC sec. 1213(b) in the form of questions to be answered pertaining to Special Use. In my opinion Mr. Lewis routinely answered each question in his favor without really addressing the issues.

For instance, Question one: "Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?" He answered yes. I submit to you the entire district (according to the maps provided) is zoned primarily R-1 with the rest zoned A- F. Mr. Lewis' property itself is zoned A-F! Obviously the stated purpose of the zoning district and the FLU is residential. How then, would a commercial manufacturing process (whether large or small) with all the required material being hauled in by truck, be consistent with the stated purpose of an entire zoning district that is primarily residential? It would not be consistent. So my answer to that question is a resounding no!

And so it is with most of the remaining questions, e.g. question three: Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area? Predominate in the area are homes. Normal and orderly development of the surrounding properties would surely be residential homes! This is the

intent of the zoning. How could a distillery industry promote the building of new homes etc. It would not!

It's the same for question four: Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general? I believe it is not consistent with a desirable pattern of development.

All these answers are based on the fact it is a residential community, (FLU shows all residential) not the place for a commercial liquor manufacturing distillery.

There are many more objections that could be presented.

During the battle of Mobile Bay during the Civil War Rear Adm. David G. Farragut, encountering a bay full of mines supposedly cried out "Damn the torpedoes, full speed ahead".

In my humble opinion, in order for this special use to be approved a good portion of the UDC to which this all pertains would have to be ignored or misinterpreted. We might say it would be "Damn the Code, full speed ahead"!

One last question to contemplate: Would you Commissioners approve this if it was practically in your front yard?

I am asking you Commissioners to please reject this proposal.

Respectfully submitted,

Stanley Johnson

A handwritten signature in cursive script that reads "Stanley Johnson".



Sharon Rawl
REALTOR®

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Waverly, GA 31548
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Cell 912.223.7299
Sharon@SharonRawl.com

November 19, 2013

Mr. Stanley Johnson
40 Holly Oak Trail
Waverly, Georgia 31565

Dear Mr. Johnson,

In reference to your question "Does alcohol sales in close proximity of single family residence affect the value of the single family residence".

Historic sales in the State of Georgia and throughout the continental United States for single family property have been lower than the national average when property is located close to or adjacent to establishments that sell or produce alcoholic beverages.

Sincerely,

Sharon Rawl
Realtor®



INFORMAL SURVEY

Due to the undesired consequences of a distillery in our neighborhood I am opposed to the establishment of such a business:

<u>Sign</u>	<u>Print</u>	
Larry K. James	LARRY K. JAMES	2 hours
Margie James	Margie James	2 hours
Cathleen	Abrielle Genest	3 hours
Ed Stuerling		
Mae Shierling		
H Ann Stafford-Quillman Co.		RELATIVE VISITING
Arthur Voigt IV	Fred W. Voigt IV	
Steve St	Steven Voigt	
Fred W. Voigt	Fred Voigt ?	
Lori Slicer	Lori Slicer	
Wendy Morris	Wendy Morris	
Ed J. Robert Mays	Robby G. Mays "Robert"	
Kathleen Coleman	Kathleen Coleman	own house + 2 empty lots next to Ron Lewis property on Dover Bluff Rd.
Glynn Landrum	Glynn Landrum	Realtor®
Sharon Rawl	Sharon Rawl	
Marsha Higginbotham (by proxy)	Realtor	

Rebuttal:

Ron Lewis, 4457 Dover Bluff Road

Mr. Lewis stated that the map shows the lots are not all zoned residential; several lots around Mr. Johnson's property are zoned agricultural forestry. He stated that he questioned Mr. Johnson's accuracy and when Mr. Johnson purchased his property he knew that his building was there. He stated he doesn't understand all of his objections.

Commissioner Blount made a motion, seconded by Vice-Chairman Starline to adjourn the public hearing at 6:43 PM.

Chairman Keene reconvened the regular meeting at 6:43 PM.

Regular Agenda

1. Second Reading and Adoption of Proposed Unified Development Code Amendments (UDC), Proposal to amend UDC Sec. 205 and UDC Sec. 1505 by adding the definition of "Distillery, Micro or Craft" to each section, and Proposal to amend UDC Sec. 228 – Table 2.2 Allowed Land Uses by Zoning District by adding to PERMITTED LAND USES on NAICS CODE line 31214 "and Micro or Craft Distilleries" in the A-F Zoning District by Special Use approval.

Vice-Chairman Starline made a motion, seconded by Commissioner Clark to waive the second reading and adopt the Unified Development Code Amendments (UDC), Proposal to amend UDC Sec. 205 and UDC Sec. 1505 by adding the definition of "Distillery, Micro or Craft" to each section, and Proposal to amend UDC Sec. 228 – Table 2.2 Allowed Land Uses by Zoning District by adding to PERMITTED LAND USES on NAICS CODE line 31214 "and Micro or Craft Distilleries" in the A-F Zoning District by Special Use approval.

So voted:

Chairman Keene – Yes

Vice-Chairman Starline – Yes

Commissioner Clark – Yes

Commissioner Blount – No

The motion carried 3-1; Commissioner Blount was opposed.

Commissioner Blount made a motion, seconded by Commissioner Clark to adjourn the regular meeting for recess at 6:52 PM.

Chairman Keene reconvened the regular meeting at 6:55 PM.

2. Consideration of request by Bennett Surveying (#RZ2013-06) for rezoning from A-F (Agricultural-Forestry) to A-R, (Agricultural-Residential) for 2.12 acres at 365 Powerline Path, Woodbine, GA. The Future Land Use Map shows "Rural-Residential" on Tax Map 078, Parcel 015.

Commissioner Clark made a motion, seconded by Vice-Chairman Keene to approve the request by Bennett Surveying (#RZ2013-06) for rezoning from A-F (Agricultural-Forestry) to A-R, (Agricultural-Residential) for 2.12 acres at 365 Powerline Path, Woodbine, GA. The Future Land Use Map shows "Rural-Residential" on Tax Map 078, Parcel 015.

The motion carried unanimously.

3. Consideration of request by Ronald & Katherine Lewis (#SU2013-04) for Special Use approval for a Micro or Craft Distillery on the property located at 4457 Dover Bluff Road shown as Tax Map 126, Parcel 020. The property

is zoned A-F with the Future Land Use shown as General Agriculture-Forestry.

Commissioner Blount made a motion, seconded by Chairman Keene to table this item.

So voted:

Chairman Keene – No

Vice-Chairman Starline – No

Commissioner Clark – No

Commissioner Blount – Yes

The motion failed 3-1; Chairman Keene, Vice-Chairman Starline and Commissioner Clark were opposed.

Chairman Keene made a motion, seconded by Vice-Chairman Starline to approve the request by Ronald & Katherine Lewis (#SU2013-04) for Special Use approval for a Micro or Craft Distillery on the property located at 4457 Dover Bluff Road shown as Tax Map 126, Parcel 020. The property is zoned A-F with the Future Land Use shown as General Agriculture-Forestry with conditions.

So voted:

Chairman Keene – No

Vice-Chairman Starline – No

Commissioner Clark – No

Commissioner Blount – No

The motion failed 4-0; Chairman Keene, Vice-Chairman Starline, Commissioner Blount and Commissioner Clark were opposed.

Vice-Chairman Starline made a motion, seconded by Commissioner Clark to postpone this item until the regular meeting of December 10, 2013 subject to the presentation by Planning and Development Director John Peterson of an overview of proposed conditions to the Special Use Permit, a detail of the property / location footprint / drawing and a business plan by the applicant.

Vice-Chairman Starline amended the previous motion, seconded by Commissioner Clark to table this item until the regular meeting of December 10, 2013 subject to the presentation by Planning and Development Director John Peterson of an overview of proposed conditions to the Special Use Permit, detail of the property / location footprint / drawing and a business plan by the applicant.

The motion carried unanimously.

4. Approval of Performance Award.

Vice-Chairman Starline made a motion, seconded by Chairman Keene to approve the Performance Award to full-time employees of \$1000.00 with the conditions that employees employed prior to December 1, 2012 will be eligible

to receive the full award, and provided there have been no disciplinary actions within the past 12 months (December 1, 2012 – November 30, 2013). Employees employed after December 1, 2012 will be eligible to receive a prorated award based on months of service to date (through November 30, 2013). Performance awards will be reduced by 25% for every disciplinary action received within the past 12 months.

The motion carried unanimously.

5. Approval of Surplus Item List

Vice-Chairman Starline made a motion, seconded by Commissioner Clark to approve the Surplus Item List with the results of the disposal of surplus items forwarded to the board after sale, and all items sold whole without parts or miscellaneous items being removed after the sale.

The motion carried unanimously.

6. Approval of Architect Contract for Jail Expansion.

Vice-Chairman Starline made a motion, seconded by Commissioner Clark to approve the Architect Contract for Jail Expansion.

The motion carried unanimously.

7. Approval of Chair to execute tax release applications.

Commissioner Blount made a motion, seconded by Vice-Chairman Starline to approve the Chairman to execute the tax release applications.

The motion carried unanimously.

8. Presentation of findings and action regarding Operational Consolidation.

Vice-Chairman Starline made a motion, seconded by Commissioner Clark to approve to proceed with the following five (5) items:

1. Each Entity in Agreement to move forward with Operational Consolidation.
2. Fire Chief's draft and present Mutual Aid Agreements, scheduled for January 9, 2014 regular meeting agenda.
3. Explore the closing of Fire Station #10 & #14, as well as relocation of equipment and the impact of this action regarding the ISO.
4. Explore Camden County and City of Kingsland Ambulance Assets.
5. Joint Resolution for pre-approval of future addressing before a road can be officially named and entered in to the system, as well as E-911 readdressing for roads with same names to be corrected.

The motion carried unanimously.

Reports

Calendar – October / November

County Clerk Katie Bishop read the calendars for November and December 2013.

- ***County Administrator's Report***

County Administrator Steve Howard announced that the Clerk of Court is currently accepting applications for a Board of Equalization member. He explained there are qualifications as well as an application process to go before the Grand Jury before nomination is made.

He announced that there are several Board of Commissioner appointments vacant and due for reappointment during the regular meeting of December 10, 2013.

He stated that although Commissioner Sheppard is absent he asked that it be known that he was in full support of the Performance Award for employees.

Additional Public Comments:

No additional comments from the public were offered during this time.

Adjournment:

Commissioner Blount made a motion, seconded by Commissioner Clark to adjourn the November 19, 2013 meeting. The vote was unanimous to adjourn the meeting at 7:44 PM.