

WARNER ROBINS PLANNING AND ZONING COMMISSION

Meeting of November 9, 2021

The regular meeting of the Warner Robins Planning and Zoning Commission was held on November 9, 2021, at 5:30 PM at City Hall. Those members present were Arthur Head, Joyce Phillips, Jeffrey Rowland, Miranda Britt, and Todd Rissmiller. Darin Curtis and Michael Johnson were also present.

Mr. Rissmiller opened the meeting of the Planning & Zoning Commission by explaining the procedures of the meeting. Mr. Rissmiller explained that due to regulations, all approved requests for home occupation licenses, rezonings, annexations, and special exceptions with the Planning and Zoning Commission would next be forwarded to Mayor and Council for final approval. Mr. Rissmiller asked Mr. Curtis to provide any staff remarks for petitions being heard.

Mr. Rissmiller asked for a motion to approve the minutes from the Planning and Zoning meeting held on October 12, 2021. Mr. Head made the motion to approve the minutes and Mrs. Britt seconded the motion. The motion carried unanimously.

Mr. Rissmiller then called the first item on the agenda.

1. Kimberly Smith – 113 Nix Way – requests permission to operate a retail business as a home occupation. Kimberly Smith was not present.

The motion was made by Mr. Head and seconded by Ms. Britt to table the request. The motion carried unanimously.

2. Jonathan Byram – 129 Landings Drive – requests permission to operate a lawn care service as a home occupation. Jonathan Byram was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

3. Victor Johnson – 221 Kensington Circle – requests permission to operate a roadside assistance business as a home occupation. Victor Johnson was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

4. Courtney Thomas – 217 Perth Court – requests permission to operate a chocolate confection business as a home occupation. Courtney Thomas was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval

of the request. The motion carried unanimously.

5. Matthew Boarts – 308 Taylor Eliane Drive – requests permission to operate a craft customization business as a home occupation. Matthew Boarts was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

6. Ron Kirby – 311 Cedar Ridge Drive – requests permission to operate a plumbing business as a home occupation. Ron Kirby was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

7. Shauntine Radford – 319 Northlake Drive – requests permission to operate a retail business as a home occupation. Shauntine Radford was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

8. Alexis Vance – 62 Glen Arbor Lane – requests permission to operate a hookah rental business as a home occupation. Alexis Vance was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

9. Mildred Whittington – 312 Forest Hill Drive – requests permission to operate a childcare business as a home occupation. Mildred Whittington was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

10. Odalis Tzefakes – 116 Huntington Chase Circle – requests permission to operate a cleaning service as a home occupation. Odalis Tzefakes was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

11. Dabrielle Wilson – 307 Hearthwood Drive – requests permission to operate a retail sales business as a home occupation. Dabrielle Wilson was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

12. Lindsley Scott – 114 Gray Fox Crossing – requests permission to operate a mobile auto detailing business as a home occupation. Lindsley Scott was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

13. Jarrell Bell – 201 Norman Lane – requests permission to operate a pressure washing business as a home occupation. Jarrell Bell was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

14. Marquez Lawson – 112 Memorial Terrace Apt 209 D – requests permission to operate a landscaping business as a home occupation. Marquez Lawson was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

15. Dennice Hillard – 205 Northumberland Way – requests permission to operate an accounting business as a home occupation. Dennice Hillard was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

16. Kelvin Akles – 310 Rose Hill Drive – requests permission to operate a government contracting business as a home occupation. Kelvin Akles was present. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

17. PROPERTY SUBDIVIDING – 201 Brookwood Drive – BJ Hartley was present to represent Story, Clarke, & Associates. Mr. Hartley explained that the creation of the new lot would not create a nonconformity with any zoning regulations. Mr. Curtis stated that the existing deep well on the property, as it was not far enough away from the property line per the requirements of EPD, that the well must be capped and abandoned in order to be approved by the City. Mr. Hartley stated that that his client would comply with the requirement. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to approve the request. The motion carried unanimously.

18. ANNEXATION/REZONING – HPDP, LLC and Mason Financial Services, LLC request the annexation and rezoning of property located at S Houston Lake Road, north of Ely Place and W Wrasling Way from the zoning of C-2[General Commercial District][County] to the zoning of C-2[General Commercial District][City] and R-3[General Residential District][City] Robert Story was present to represent HPDP, LLC and Mason Financial Services, LLC. Mr. Story stated that his client intended to utilize the property for the stormwater management area as well as in combination with the adjacent Webster Place Subdivision. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request to annex the properties. The motion carried unanimously.

The motion was made by Mr. Head and seconded by Ms. Britt to recommend approval of the request to rezone the properties. The motion carried unanimously.

19. REZONING – Mason Financial Services, LLC requests the rezoning of property located at Ely Place and W Wrasling Way, West of S Houston Lake Road, from the zoning of R-4[Multi-Family Residential District] to the zoning of R-3[General Residential District] and C-2[General Commercial District] Robert Story was present to represent Mason Financial Services, LLC. Mr. Story stated that his client intended to utilize the property for the stormwater management area as well as in combination with the adjacent Webster Place Subdivision. No one was present in opposition.

The motion was made by Ms. Britt and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

20. REZONING – Happel Construction Co., Inc., requests the rezoning of a portion of property totaling 21.04 acres, AKA tax parcel [0W1060 021000], located in the Southeastern quadrant of S Houston Lake Road and Feagin Mill Road, having frontage on Feagin Mill Road and Lochlyn place from the zoning of R-4[Multi-Family Residential District] to the zoning of PDR[Planned Development District – Residential]. Michael Mason was present to represent Happel Construction Co, Inc. Mr. Mason advised that his client wished to build approximately 2.7 lots per acre, equating to a reduction in the lot width, side setback, and lot area requirement in the current zoning designation. Mr. Curtis advised the board that the applicant had developed a similar subdivision adjacent to the subject site, prior to the revision in the zoning ordinance that no longer allowed for “blanket variances” to be granted on entire developments. As such, stated Mr. Curtis, the developer opted to apply for a PDR zoning, whereas developers have the opportunity to propose to the City the standards and the ways they intend to develop. Mr. Mason stated that the most recent revision to the conceptual plan for Addison Run includes the location for the mail kiosk, delineates the location for the stormwater management area, and the lot dimensions (55’ lot width, 5’ side setbacks, and approximately 6,100sqft lot areas). Mr. Mason stated that his client intends to build a single family subdivision with more

affordable homes, ranging from 1200-1500sqft. Mr. Mason added that his client intends to maintain environmental considerations and keep greenspace reduction to a minimum. Mr. Curtis advised the board that per the regulation for Planned Development Districts, any deviation in the plan for development must be resubmitted to the Planning Commission for re-approval. No one was present in opposition.

The motion was made by Mr. Head and seconded by Ms. Britt to recommend approval of the request. The motion carried unanimously.

21. ANNEXATION – S&B Properties requests the annexation of 500 Nelson Drive from the zoning of R-1[County] to R-1[City]. Mr. Curtis stated that the Mayor and Council had recently approved an emergency tap-on for sewer at the subject site, due to septic failure that resulted in unsanitary conditions at the site. Mr. Curtis added that the applicant was unable to attend the meeting, but that the board was free to vote on the request. No one was present in opposition.

The motion was made by Mr. Head and seconded by Ms Britt to recommend approval of the request. The motion carried unanimously.

22. ANNEXATION/REZONING – The Estate of Dorothy Tyson requests the annexation and rezoning of a 2.31 acre portion of property located at 1326 Feagin Mill Road from the zoning of R-AG[Residential Agricultural][County] to C-2[General Commercial][City]. Scott Free was present to represent The Estate of Dorothy Tyson. Mr. Free explained that his client wished to convert the existing home on the lot to serve as a medical office. Mr. Curtis stated that the property was recently subdivided to omit a certain portion of the mother parcel in order to not create an illegal unincorporated island. No one was present in opposition.

The motion was made by Mr. Rowland and seconded by Ms. Britt to recommend approval of the request for annexation. The motion carried unanimously.

The motion was made by Mr. Head and seconded by Ms. Britt to recommend approval of the request to rezone. The motion carried unanimously.

23. REZONING – The New Houston Company requests the rezoning of tax parcel 0W78D0 321000 located at Watson Boulevard from the zoning of M-2[General Industrial] to the zoning of C-2[General Commercial] Scott Free was present to represent The New Houston Company. Mr. Curtis stated that while the intended use was permitted in the current zoning district, rezoning the property to commercial was preferred in order to eliminate the uncharacteristic industrial zones along Watson Boulevard. No one was present in opposition.

The motion was made by Ms. Britt and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

24. SPECIAL EXCEPTION – GROUP HOME - 116 Wake Forest Drive – Middle Flint

Behavioral Health Community Service Board – Angela Holt was present to represent Middle Flint Behavioral Health Community Service Board (MFBH). Ms. Holt stated that her organization provides services to mentally disabled citizens in several counties in the region. Ms. Holt stated that residents of the homes have three full-time house parents, and six part time staff members who interchange to provide 24hour supervision. Paula Woodall, a representative of MFBHC stated that the goal of the organization was to provide care so that the residents of the group home would be offered life skill and emotional conditioning training in order to help them thrive and strive for independent living. Mrs. Phillips stated that the zoning regulations allow for up to six non-related individuals to live in a group home, with a resident manager counting toward the number and stated that MFBHC would exceed the number of allowed individuals to live onsite. Mr. Curtis stated that the regulation refers specifically to “resident” managers, i.e. managers that reside onsite, adding that MFBHC referred to staff that rotated shifts; not resident managers. Mr. Rissmiller called on the opposition. Darin Curtis first read aloud the written opposition received. Mr. Curtis first read aloud the letter from Joseph Hastings, of 104 Tift Court. Mr. Hastings letter referenced concerns about the types of residents who would live at the group home, and expressed concerns in the City’s process and vetting of MFBHC. Mr. Curtis then read aloud written opposition received from Gwen Robbins of 201 Wake Forrest Drive. Ms. Robbins’ letter expressed concerns with the property not being an appropriate location for people with mental disabilities or behavioral issues, adding that the property didn’t have enough sunlight, and that there were not adequate amenities for people that lived there, only allowing them to sit idle. Ms. Robbins also suggested a nearby property that would be, in her opinion, better suited to serve as a group home. Mr. Curtis then read aloud the written opposition received from Jimmie Evans, a resident of Wake Forrest. Ms. Evans’ letter cited concerns regarding the home being located within the interior of her subdivision and concerns regarding the residents’ ability to wander unaccompanied in the neighborhood. Upon concluding the written opposition, Mr. Rissmiller called on opposition in the audience. Jerry Cox of 104 Don’s Place stated that the residents of his neighborhood were not adequately notified of the request and that in his experience, group homes caused an increase in criminal activity in the areas they operate within. Mr. Cox stated that MFBHC has very low ratings online from former employees and that he is concerned with the quality of care the residents might receive from MFBHC. Peggy Moyer, a resident of Wake Forrest, stated that the home was inadequate and too small for MFBHC to provide the entire host of services to the residents onsite, and that the use of the home as a group residence is incompatible with the location. Grace Hodges, a resident of Wake Forrest, stated that she has lost several members of her family to drug related tragedies that occurred in group home care, and that she was opposed to having a group home in close proximity to her house. Rupert Bon, a resident of Wake Forrest, stated that the North side of town is inundated with group homes because they are undesirable, and that the group home should be opened on the South side of town. John Miller, a resident of Wake Forrest, stated that group homes are synonymous with blight, and that the neighborhood has many younger kids there and that people with behavioral issues would pose a potential danger to children in the area. Ms. Woodall stated that the residents would be out of the home and in day treatment for up to six hours and upon returning would be engaged in activities issued by the organization in order to be kept busy and given life training. Mr. Head stated that in his experience as a board

member of HODAC, he understands the need for mental health services, and urged the audience to contact their elected officials to tell them the ways in which they wish to see regulatory changes be made. Mr. Rissmiller asked Ms. Holt to explain why MFBHC purchased the home and conducted extensive modifications without the special exception. Ms. Holt explained that she was under the assumption that as a community service board, she would be exempt from local zoning ordinances. Upon finding that she was wrong, she instructed her team to apply with the city for the proper permissions. Mr. Rissmiller asked Ms. Holt to explain whether her staff was qualified to treat the patients/residents of the group home. Ms. Holt explained that her organization receives licensing and accreditation through the state to ensure that her facility is compliant with all code, including ensuring her staff is qualified and trained to handle every aspect of care for the residents. Ms. Holt added that the state can inspect their sites at any time and that the organization receives a high level of oversight. Ms. Britt asked what kind of disabilities the residents would have. Ms. Holt explained that the residents would be males with mental health disabilities such as learning disabilities or behavioral disorders, but that no residents would be violent or harmful to others. Ms. Holt added that the residents may stay inside while it rains, but that her residents would otherwise be engaged in learning or activities during their time at the home. Ms. Holt stated that MFBHC would not charge rent to the residents, and that funding is received through the state. Mr. Rowland asked if MFBH would conduct drug tests on the residents, and whether the residents would be screened for any other types of history of violence or sex offenses. Ms. Holt stated that each resident would be screened for violent behaviors and that no sex offenders would be permitted to reside in the homes, adding that their specific illnesses must be compatible with people in the residence in order for the residence to succeed. Mr. Rissmiller closed the public hearing and entertained a motion. No motion was immediately offered.

Mr. Rissmiller made the motion to deny the request. Mrs. Phillips seconded the motion. The motion carried unanimously.

25. VARIANCE – 100 Narcisse Way – Antonio Cleveland requests a 14’ front setback variance at 100 Narcisse Way to allow for the permitting of an accessory structure. Antonio Cleveland was present. Mr. Cleveland stated that he had hired a contractor to construct a building in his backyard, and that the contractor failed to pull the necessary permits. Mr. Rissmiller asked Mr. Cleveland what manner of hardship required the placement of the building 14’ over the building setback. Mr. Cleveland stated that his contractor advised that it was the most level part of the yard, and therefore at the recommendation of the contractor, placed the building in the location. Mr. Curtis stated that the staff does not consider the self-created encroachment to be true hardship. No one was present in opposition.

The motion was made by Mr. Rowland and seconded by Ms. Britt to approve the request. The motion carried unanimously.

As there was no further business, the meeting was adjourned at 8:37p.m.