

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

January 3, 2017
7:00 P.M.

Commissioners Present: J. Harry Lange, Susan Andrews, Martha Chewning, Becky Langston, Jim Woods. Staff Present: Randy Dowling, County Manager; John Taylor, County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** At the request of Chairman Lange, Herman Barth led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the December 20, 2016, Regular Session, and the December 20, 2016, Called Session, was made by Commissioner Woods, seconded by Commissioner Chewning, and passed unanimously.
4. **ORGANIZATION OF COMMISSION**
 - A. **Election of Chairman & Vice-Chairman.** The motion to elect Harry Lange as Chairman and Jim Woods as Vice-Chairman, was made by Commissioner Chewning, seconded by Commissioner Andrews, and passed unanimously.
 - B. **Appointment of County Attorney & County Clerk.** The motion to reappoint John Taylor as County Attorney and Nancy McMichael as County Clerk was made by Commissioner Woods, seconded by Commissioner Chewning, and passed unanimously.
5. **OLD BUSINESS**
 - A. **Financial Statement: September 2016.** Chairman Lange said that the motion to approve the September 2016 financial statement had been made during the December 20 meeting (by Commissioner Woods and seconded by Commissioner Langston) but that action was tabled pending information requested by Commissioner Chewning. He then asked Paul Glick, Finance Officer, to discuss the issue. Mr. Glick explained that the miscellaneous revenue showing 5,973% over budget was due to a dividend check received in connection with Workers Compensation and a refund from a vendor, both of which will be reclassified in the October financial statement. Commissioner Chewning thanked Mr. Glick for his report and for the diligence of Christy Searcy, Account Tech, regarding the vendor refund. The motion to approve passed unanimously.
6. **NEW BUSINESS**
 - A. **Resolution of Appreciation: Neil Adams.** Chairman Lange read the resolution honoring Neil Adams, who began employment with the County on November 1, 1995, and retired as Chief Deputy in the Sheriff's Office on December 31, 2016. He then made the motion to approve the resolution. The motion was seconded by Commissioner Chewning, and passed unanimously. Chairman Lange thanked Mr. Adams for his service to the County, and Mr. Adams received a standing ovation from those in attendance.
7. **COUNTY MANAGER**
 - A. **Bid Award: Cab & Chassis w/20 CY Rear Loading Collection Body.** Randy Dowling, County Manager, said that bids were received for the purchase of a new garbage truck, as follows:

Company	Model Truck & Body	Meet	Bid
Peach State Freightliner Norcross, GA	2019 Freightliner M2-106 w/New Way Cobra	yes	\$150,366
Performance Peterbilt of Albany Albany, GA	2018 Peterbilt 348 2/New Way Cobra	yes	\$152,480
	2018 Peterbilt 348 2/Heil PT 1000	yes	\$163,690
Wastebuilt Consolidated Mableton, GA	2016 Freightliner M2-106 w/New Way Cobra	no	\$139,320

Mr. Dowling said that the recommendation by Ronnie Duke, Solid Waste Director, and Bobby Ammons, Vehicle Maintenance Director, is to award the bid to

Performance Peterbilt of Albany in the amount of \$152,480, that funding will come from the Solid Waste Fund in which \$165,000 was budgeted for the truck, and that the vehicle will be an addition to the Solid Waste fleet. He said that Mr. Duke and Mr. Ammons were in attendance to respond to questions regarding their recommendation. In response to questions, Mr. Ammons explained why the bid should be awarded to Peterbilt rather than Freightliner. Following discussion, the motion to award the bid to Performance Peterbilt of Albany in the amount of \$152,480 was made by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously.

B. **Surplus Vehicle Parts.** Randy Dowling, County Manager, said that in an effort to clear the Vehicle Maintenance Shop of parts for vehicles no longer in service or owned by the County, it is being requested that a list of 222 parts totaling approximately \$2,096 be declared surplus and authorization given to sell the parts on GovDeals or other legal means. The motion to declare the parts surplus and to authorize the sale of same as requested was made by Commissioner Woods, seconded by Commissioner Chewning, and passed unanimously.

C. **Project Updates.** Randy Dowling, County Manager, brought the Board up to date on various projects, as follows:

- (1) Ellerslie Park. The specifications have been received for the paving of the road and parking areas, and a bid for same should soon be prepared.
- (2) Random Drug Testing. Procedure for random drug testing has been completed and implementation is set to begin this month.
- (3) CDBG Kings Gap. Striping and installation of street signs have yet to be completed.
- (4) Hardage Road. Design and construction agreement approved December 20, and EMC Engineering will be on site tomorrow to begin road design, after which bid documents will be completed.
- (5) Fire Trucks. Preparation of bid specifications is underway with coordination for the fire departments.
- (6) SPLOST. Check received in December (for November) is greater than last month but lower than the same time last year.
- (7) LOST. Check received in December (for November) is greater than last month but lower than the same time last year.
- (8) Single Family Home Permits. Permits for the calendar year are higher than this time last year.
- (9) County Website. In response to question from Commissioner Langston, Mr. Dowling said that he is coordinating the update of the County's website with Traceable Creations.

8. **COUNTY ATTORNEY**

A. **Agreement with Harris Gray: Hamilton Business Park Road Extension.** John Taylor, County Attorney, reviewed the proposal agreement from Harris Gray to perform civil engineering design and permitting services for the extension of Water Oak Way (the entrance road for the business park) for approximately 925 feet from the end of the existing road for pavement and overlay of the existing road to include conceptual layout, final engineering plans, permitting, and route survey at a cost of \$13,900. The motion to approve the agreement was made by Commissioner Chewning, seconded by Commissioner Woods, and passed unanimously. Randy Dowling, County Manager, said that funds will come from SPLOST 2014 Economic Development. (Document can be found in "Contracts & Agreements" file as C&A #17-01.)

9. **PUBLIC HEARINGS @ 7:30 PM**

A. **Conflict of Interest Forms.** At the request of Chairman Lange, the Conflict of Interest forms were completed.

- B. **Explanation of Public Hearings.** Chairman Lange explained the procedures for the Public Hearings and reminded all that the speaker is to state their name and address prior to making comments.
- C. **Application of the Harris County Board of Commissioners to amend the text of the Harris County Zoning Ordinance, Article IV, Section 2 (Permitted Uses in Zoning Districts), item 89 (Libraries), to delete “R and C” districts to allow libraries in all districts with a Special Use Permit.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that both the Planning Commission and Staff had recommended approval. He explained that the amendment is to allow libraries in all districts with a Special Use Permit rather than restricting same to all R and C districts. He asked if anyone wished to speak in favor of or in opposition to this text amendment. There being none, he closed the Public Hearing and asked for a motion. The motion to approve this Zoning text amendment was made by Commissioner Chewning, seconded by Commissioner Andrews, and passed unanimously.
- D. **Application of Tommy Lance Smith and Jennifer Smith, for a Special Use Permit for an Outdoor Wedding Venue on 8.84 acres of Land Lot 6, Land District 20, Map 044, Parcel 075; current use residence; proposed use outdoor weddings and residence; property located at 1864 Hoody Hudson Road, Cataula, and zoned A-1.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Commission and Staff had recommended approval of this Special Use Permit. Tommy Lance Smith and Jennifer Smith, applicants, appeared before the Board to explain their request and to respond to questions. Mr. Smith said that aid that their home was built in 1826 and based on research, they believe it to be the oldest structure in the County; and that they want to do weddings on the property. With permission from the Board Mr. Smith then read and submitted a letter in favor of the application from Mr. and Mrs. Kenneth McCrary who could not attend the meeting. There being no comments or questions from the Board, Chairman Lange asked if anyone wished to speak in favor of the application.

Michael Stecher, who lives adjacent to the subject property, appeared before the Board and said that he has no objections to the application and is impressed with the work Mr. and Mrs. Smith had done on the home since it was purchased.

There being no further comments in favor, Chairman Lange asked if anyone wished to speak in opposition. There being none, Chairman Lange asked Mr. Smith if he had any further comments.

Mr. Smith then gave a brief history of his home, accompanied by David Walker, whose great great grandfather built the home. There being no comments or questions from the Board, Chairman Lange closed the Public Hearing.

The motion to approve this Special Use Permit was made by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously.

- E. **Application of Mark and Leslie Timberlake for a Special Use Permit for a Commercial Boarding Kennel on 9.192 acres of Land Lot 47, Land District 19, Map 045, Parcel 066E; current use residence; proposed use residence with kennel (Commercial Pet Boarding); property located at 6175 GA Hwy 315, Cataula, and zoned A-1.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the application had been recommended for approval by Staff and that the Planning Commission recommended approval with the following conditions: (1) limited to 25 dogs and 10 cats, (2) permit not be issued until the facility is built, (3) approved as presented and (4) that the animals must be inside from 6 PM to 9 AM, except to go outside to use the bathroom. Mark and Leslie Timberlake, applicants appeared before the Board to discuss their application and respond to questions. Mrs. Timberlake said that they want to operate Timbervale Bed & Breakfast for Pets, an upscale pet boarding and daycare facility for dogs and cats; that this will not be a traditional kennel; that they specialize in customized care for animals; that their hours will be 7 AM to 6 PM, closed from 12 noon to 2 PM every day for nap time and closed all day Sunday; that the business will be by reservations/appointments only; that the facility will be located behind their home in the center of their property; that they plan to replace an existing building with a barn-like structure that will look like a horse barn with the pet boarding space being enclosed indoors, insulated, sound proofed, and climate controlled with 12 indoor individual suites to house dogs; that each room will be

enclosed with solid walls and roof, it's own door, window with curtains, ceiling fan, bed, television, music and surveillance; that there will also be a large family room for indoor group play, a work room, and a restroom; that the maximum capacity for dogs for boarding and daycare is 25; that they plan to build a separate smaller building later to accommodate 10 cat enclosures with outdoor space to include a fenced patio and a play yard connected to the building; that fencing will be five to six feet high with either a double fence system and/or a barrier on fences to prevent dogs from climbing over; that they will meet all requirements of Harris County; that their property is located at the intersection of GA Highway 315 and Hamilton-Mulberry Grove Road and is zoned A-1; that their residence is on the property facing GA Highway 315; that there is an existing buffer of forest on all four sides measuring from 70 feet to over 525 feet, all of which will remain; and that the surrounding zoning districts are A-1 to the north, east, and south, C-4 across GA Highway 315, R-1 and C-3 to the west across Hamilton-Mulberry Grove Road, and commercial property at the corner of GA Highway 315 and Hamilton-Mulberry Grove Road.

Ms. Timberlake continued by saying they received unanimous approval by the Planning Commission; that a petition has been circulated and most who signed it did not attend the Planning Commission and are not aware of all the specifics for the business [note: petition has not been presented to the County]; that they are not boarding 20 cats; that there are residential homes in the adjacent A-1 zoning; that the Georgia Department of Agriculture oversees and inspects kennels in Georgia; that the facility will be constructed per regulations of the County and State; that environmentally safe and non-toxic cleaning products are used; that the entire building is cleaned every day; that they are meticulous regarding the pick-up and disposal of animal waste, which is double bagged with heavy duty trash bags and then put into a metal trash can, which is stored until the day of trash pick up; that they have lived on the property for about a year and have never had any issues with their trash; that at intake, all animals must have a completed questionnaire, an entrance physical exam, an aggression assessment, a temper assessment, an introduction to playgroups, proof of vaccine, a negative stool sample within six months of boarding, and be on monthly heart worm, flea and tick prevention; that regarding noise, the pets are under constant supervision 24 hours a day and the boarding facility is enclosed and insulated for weather and sound and is climate controlled; that the dogs will be engaged in activities all day; that there will be agility equipment, sand pit, pool for swimming, visual barriers and trees; that they use clicker training and rewards to train dogs to be quiet and mannerly; that dogs are out only in shifts and never at the same time and are all indoors at night; that they hear other dogs barking in the neighborhood; that unruly dogs will not be allowed to return for boarding; that regarding traffic, animals are dropped off and picked up at random times, so there will not be a lot a traffic at one time; that the facility will be discreet and cannot be seen from the road; that they will plant evergreens and crepe myrtles around the perimeter at Hamilton-Mulberry Grove Road and GA Hwy 315 to help with the buffer; that there is A-1 property adjacent to the subject property; and in conclusion requested approval of their application.

Chairman Lange asked if anyone wished to speak in favor of the Special Use Permit.

Colleen Watson, citizen who lives in Cataula, appeared before the Board and said that she lives about a mile from the Timberlakes; that she knows the Timberlakes through the Harris County Humane Society; and that the Timberlakes are committed to the environment and keeping the property as a rural area.

Catherine Genova, citizen who lives in Pine Mountain, appeared before the Board and said that she is the director of the Humane Society of Harris County (HSHC); that she knows the Timberlakes both professionally and personally; that Mrs. Timberlake's credentials speak for themselves and she is an incredible dog trainer and behaviorist and has been invaluable to the HSHC; that everything Mrs. Timberlake said is truthful and she will keep the dogs busy and active; and that having run a similar business in New York, the method of dropping off and picking upon animals, as described by Mrs. Timberlake, is correct; and she (Ms. Genova) believes this will be an excellent facility.

Jennifer Daniel, who lives in Columbus, appeared before the Board and said that she is former co-worker of Mrs. Timberlake at Paws Humane in Columbus; that Mrs. Timberlake made changes at Paws Humane to improve procedures for cleanliness, playgroups, activities, play yard, and safety; and that Mrs. Timberlake knows how to teach dogs to behave and be quiet.

Kim Mixon, who lives in Phenix City, appeared before the Board and said that she is a real estate agent in Georgia; that she helped Mr. and Mrs. Timberlake find their property; that what is being proposed is considered an improvement, an added value, and will not be a detriment to property values.

There being no further comments in favor, Chairman Lange asked if anyone wished to speak in opposition.

Charles Glisson, citizen who lives on GA Highway 315, appeared before the Board and said that he lives across the road from the Timberlakes; that he also represents his neighbors, Mr. and Mrs. Hayes, his son, and his daughter who lives between him and the Timberlakes; that most people move to Harris County for peace and quiet; that he is concerned about the dog waste and its disposal; that several dogs run loose in the neighborhood and they get into garbage cans; that trying to get out of his driveway in the morning is difficult; that if a dog starts barking, others do as well; that they are concerned about decrease in property values; that the nearby commercial property is currently pretty much non-existent; and that if the application is approved, they are concerned as to who will make sure the Timberlakes abide by what they have said they will do; and that they do not want the business across the road.

Meghan Guenther, citizen who lives in Cataula across from the Timberlakes, appeared before the Board and said that there are 15 residential properties across Hamilton-Mulberry Grove Road; that nine of those properties average one acre; that currently there is a lot of traffic due to Mulberry Creek Elementary, Creekside School, and Harris County High School; that the existing buffer on the subject property is not dense; that they moved to the area for the peace and quiet; that there are many dogs in the neighborhood and when one barks the others bark; that a petition has circulated and has over 106 signatures [note: petition has not been presented to the County]; and that everyone is concerned about noise, smell, sanitation, and traffic.

There being no further comments in opposition, Chairman Lange asked Mr. and Mrs. Timberlake for rebuttal.

In rebuttal, Mrs. Timberlake reiterated her method for sanitation waste management and said that her facilities can be inspected anytime by the County and/or the Department of Agriculture; that the business will be discreet and any signage will just say Timbervale, which is what they call their property, and not be commercial type signage; that they also moved to the County for the peace and quiet; that the property is zoned A-1 and they could have chickens, pigs, or other animals, but they choose not to do that; that they are planning a luxurious pet boarding service that is no way resembles what people think when they hear the word "kennel", which tends to conjure up negative reactions; and that she has dedicated her life to animal welfare and is a professional dog trainer.

Chairman Lange closed the Public Hearing and asked for comments from the Board. Commissioner Langston said that this appears to be more of a business venture that would be better suited to commercial zoning; that in 2016, of the 14 Special Use and Rezoning applications, seven were for Special Use Permits; that the Board has too many Special Use Permits come before them; and that such permits are a way to circumvent zoning. John Taylor, County Attorney, said that the Zoning ordinance allows commercial operations in agricultural zoning and not just retail operations; that A-1 districts allow animals; that C-4 is highway commercial district, which is to provide a service that caters specifically to motor vehicle needs and where businesses depend on vehicular trade; that he understands Commissioner Langston's issue; and that this business could be in either district. Commissioner Langston said this business is in her district; that 35 animals is a lot of animals; and that this is more of a commercial enterprise.

Commissioner Chewing said that she likes what she has heard regarding the business and how it has been presented, to include the specifics regarding noise control, the procedures for the cleanliness, all of which makes this venture different from other kennels she has seen or heard about. She said that in dealing with animals, commercial zoning is not necessarily appropriate for animal welfare.

Commissioner Langston said that while she can appreciate what the Timberlakes are trying to do and it is a great plan, it's in the wrong location. She said that she was asked by Mr. and Mrs. Knight, who are next door neighbors to the Timberlakes, to let the Board know they are opposed to the business.

There being no further comments or questions, Chairman Lange asked for a motion.

Commissioner Chewning made the motion to approve the Special Use Permit with the conditions that the animals are to be indoors from 6 PM to 8 AM, with the exception of going out to use the bathroom; that the enclosures are climate controlled and insulated; that the fencing is to be as outlined by the Timberlakes; that the play areas, patio, and procedures for the cleanliness of the facilities and animals are to be as outlined; that the buffers are to remain; that the suites may not house more than two dogs at one time; that no training or breeding is permitted; that only dogs and cats are permitted; that it is limited to 25 dogs and 10 cats; that the permit not be issued until the facility is built as presented and approved by the State and Community Development. Commissioner Woods seconded the motion and asked that it be amended to include that there are to be no more than 3 animals outside at any one time; that the animal buildings are to be on septic system; that the fencing is to be double fenced with the outside fence eight (8) feet tall and the fenced in area is not to exceed 2,500 square feet; that there is no grooming beyond bathing; that the owner(s) must reside on premises; and that there is no signage beyond two square feet.

Following discussion, Commissioner Chewning amended her motion for approval with the conditions of: (1) the animals are to be indoors from 6 PM to 8 AM, with the exception of going out to use the bathroom; (2) the enclosures are to be climate controlled and insulated; (3) the fencing is to be double fenced with the outside fence eight (8) feet tall with said fenced-in area not to exceed 2,500 square feet; (4) the play areas, patio, and procedures for the cleanliness of the facilities and animals are to be as outlined; (5) the buffers are to remain; (6) the suites may not house more than two dogs at one time; (7) there is no training or breeding; (8) it is limited to 25 dogs and 10 cats and no other animals; (9) the permit is not to be issued until the facility is built as presented and approved by the State and Community Development; (10) no more than 5 dogs outside at any one time; (11) the animal buildings must be on a septic system; (12) no grooming beyond bathing; (13) owner must reside on premises; and (14) no signage beyond 2 square feet. The motion was seconded by Commissioner Woods and passed with four in favor (Chewning, Woods, Andrews, Lange) and one opposed (Langston).

F. **Application of Keiven & Leonna Harris to Rezone 3.52 acres on Land Lot 113, Land District 19, Map 032, Parcel 010B, from R-1 (Single Family Residential) to A-1 (Agricultural & Forestry); current use single family residence; proposed use single family residence with greater than 4 dogs for breeding purposes; property location at 1290 Hart Drive, Fortson.**

Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that it had been recommended for disapproval by the Planning Commission and for approval by Staff with the notation that, if approved, a Special Use Permit will be required and a limitation of the dogs could be addressed at that time. Keiven and Leonna Harris, applicants, appeared before the Commission to discuss their application and respond to questions. Mrs. Harris reviewed her background and that of her husband and said that they have been breeding American Bully dogs, which are a designer breed of dog, for about two years; that there is a trough in the back of the kennel for waste so that it doesn't flow onto the neighboring properties; that additional landscaping will be done to further reduce any run-off; that the kennels are on a relatively flat surface and are secluded from the road and adjoining properties; that the surrounding properties are zoned A-1; that the real estate agent for the property indicated that it was zoned A-1 but it wasn't until just a few days before closing that it was disclosed the property was zoned R-1, and because they were too far into it to back out, they decided to move forward with trying to have the property rezoned; that they currently have 10 dogs outside in covered kennels that are 5' x 10' welded wire; that the dogs are kept in their kennels, which are locked, unless she or her husband are outside with the dogs; that the kennels are cleaned daily and disinfected with environmentally friendly products; that regarding waste disposal, the dogs are on a grain free diet which greatly reduces the waste; that they have a couple of options for waste disposal, to include double-bagging and put in trash pickup or the installation of a septic system; that they breed two to three litters a year with the litters varying in size from four to eight; that they put in a lot of time, energy, sacrifice and dedication to make sure the dogs are maintained and well cared for; that they screen their customers and clients and have established customers, a website, and ship their puppies worldwide in a safe and humane manner via United Air Lines or ground transport. In response to questions, Mrs. Harris said they do not have a kennel building, but have a concrete pad about 66' x 12' on which 5' x 10' kennels are located, and that they currently have 10 dogs

and a litter of puppies.

There being no further questions or comments, Chairman Lange asked if anyone wished to speak in favor of this rezoning application. There being none, he asked if anyone wished to speak in opposition.

Kenneth and Tracy Dowless, citizens who live on Watkins Road, appeared before the Board. Mr. Dowless said that they live behind the subject property; that two adjacent properties are zoned R-1; that while the area was split up into six lots and rezoned R-1, they are not a subdivision; that they are concerned with the waste, which is currently being dumped into the ground, because he has a lake that is fed by a natural stream; that noise is a concern due to the dogs being outside; that the dogs weigh up to 120 pounds; that they do hear the dogs barking and making noise when Mr. and Mrs. Harris are outside; that rezoning back to A-1 is like going backward; that he and his wife moved to Harris County for the peace and quiet; and that they are concerned about property values if the subject property is rezoned. Mrs. Dowless said that they share a pond with a next door neighbor. In response to questions, Mrs. Dowless said they are not on the corner but are the third house in.

Bill Delaigle, citizen who lives on Watkins Road, appeared before the Board and said that he has basically the same concerns as Mr. and Mrs. Dowless; that mud is in his pond and he believes it is coming from the Harris property; that he is concerned the large dogs could get out and attack his dogs, which are in an electric fence system; and that he is concerned about the noise from the dogs.

Charles Blair, citizen who lives on Watkins Road, appeared before the Board and said that kennels on agricultural property were originally for the fox and coon hunters and not intended to allow what is being proposed; that the property on which the Harris home is located was built up and the water runs from there down the hill; that nearby property owners have shallow wells; and that Mr. Harris is about an acre and a half short of having enough property for agricultural.

There being no further comments in opposition, Chairman Lange asked Mr. and Mrs. Harris for rebuttal comments.

Mrs. Harris, in rebuttal, said that regarding sanitation, they use an environmentally safe cleaner that is a deodorizer, a disinfectant, a germicidal and a fungicidal; that once puppies come of age they are sent to their new homes; that her dogs do not bark unless she is out training or playing with them; that she hears other dogs barking in the distance; that they also moved to the area for the peace and quiet; that regarding the pond, she doubts the run-off is coming from their property, which slopes toward their home; that the pond she referred to is on Hart Road and next to them, not behind them; that regarding shallow wells, water does not run across the street to the properties; that their dogs are secured in locked welded wire kennels, unless they are outside with them, and their yard is fenced with farm fencing; that her dogs' temperament is one of the reasons the dogs are excellent show dogs, companion dogs, and therapy dogs; and that while they are a business, they do not have people come to their home about the dogs, that is why they have a website. She also said that none of the dogs weigh 120 pounds, but one may be about 90 pounds.

Mr. Harris said that the dogs are a huge investment of over \$15,000; and that they are very protective of their dogs, which is why they are kept in the locked kennels.

There being no further comments or questions from Commissioners, Chairman Lange closed the Public Hearing and asked for a motion.

Commissioner Langston said that this is in her district; that this property was rezoned by Edgar Hughston, who has plans to construct 80 homes in the area; that homes in the area are in close proximity to the Harris property; that the problem she has is to rezone the property to A-1 when the majority of the surrounding property will be zoned otherwise.

Commissioner Langston then made the motion to disapprove this Rezoning request. The motion was seconded by Chairman Lange, who said that the balance of the property is PRD or R-1 and the acreage falls short for an agricultural zoning district. John Taylor, County Attorney, said that the property is 3.52 acres and the Zoning ordinance provides that no new agricultural district can be created with contains less than four acres, and he read the definition of a kennel (building, lot or premises in which four or more dogs are kept). Discussion included that the property

immediately to the north is contiguous to the subject property and zoned A-1; that the rezoning would be enlarging an existing A-1 zone (of the adjacent properties); that the nearby properties not zoned A-1 are the six lots rezoned by Mr. Hughston to R-1 (of which the subject property is one of those lots); and that the properties on the zoning map not marked specifically with a zoning are usually A-1. Due to issues regarding the zoning map provided in the meeting packet, Chairman Lange tabled action on the motion to disapprove to January 17 to have a better map in order to make an informed decision. Commissioner Woods said that he would like to see an ordinance whereby the zoning of property is disclosed at closing because this comes up every year. Chairman Lange said that because the Public Hearing for this Rezoning has been held and closed, no further comments will be heard on January 17.

10. **ADJOURNMENT**. There being no further business to discuss, the motion to adjourn was made by Chairman Lange, seconded by Commissioner Chewning, and passed unanimously.

Attest:

J. Harry Lange, Chairman

Nancy D. McMichael, County Clerk