

MINUTES OF THE PLANNING & ZONING COMMISSION MEETING- PUBLIC HEARING FOR THE CITY OF SKY VALLEY, GEORGIA HELD ON MONDAY, OCTOBER 30, 2017 AT 9:00 A.M. AT CBC (OLD LODGE) 696 SKY VALLEY WAY

MEMBERS PRESENT: Will Gurley, Helen Kleiber, Dan McAfee, Ben Chitwood and Tommy Tebeau

STAFF PRESENT: City Manager Lapeyrouse and Police Chief Vaughn Estes

OTHERS PRESENT: Citizens who signed attendance sheet: (23)

Jay Borman, Debbie D. Curtis, Jim Curtis, Chip Durpo, John Hoppes, Neil Howard, Hays Howard, Connie Larsen, Robert MacNair, Debbie McAfee, Ed Morley, Dick Parrott, Al Piontkowski, Maureen Platt, Steve Powell, Jo Ann Pyle, Don Rice, Jon Shebel, Ed Steil, Gerald Strickland, John Watts, Myrna Warner and Paul Wheeler

1. Call Meeting to Order

Vice Chairman McAfee called the meeting to order.

2. Adoption of Agenda

Member Chitwood made a motion to adopt the agenda. Member Kleiber seconded the motion and passed unanimously.

Public Hearing:

Vice Chairman McAfee explained the procedure to be followed this morning would be for those opposed to the proposed ordinance would stand, introduce themselves, give their address and be allowed a maximum of 5 minutes to state their position. Following those speakers, the same guidelines would apply for those in favor of the ordinance.

OPPOSED:

1. Maureen Platt, Breckenridge:

- Has been full time resident for 30 years
- Every new administration thinks they need to rewrite this ordinance
- Exceptions have been made time and time again to people in the "click"
- People want a view
- People have private property rights
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2. Jon Shebel, Sugarbush

- He had lots of problems with the house he bought from the former Mayor because of construction issues which were overlooked when inspected; he spent thousands of dollars to rectify those problems which should have been noticed by the inspector at that time. Claimed City Manager instructed him not to inspect the house.
- Cut trees without a permit; would do it again. Doesn't believe City Manager would approve.
- The minute this ordinance becomes law, you're going to have a lawsuit. You better get a good lawyer
- Mayor should not vote. He is executive branch, not legislative branch. (Charter states Mayor is part of both)

3. John Watts, Cedar Lane, Fla. Resident

- The document is too lengthy.
- He wants to keep his view.
- Asked if the trees on city right of way be removed if hazardous. City Manager Lapeyrouse answered yes.

5. Don Rice, Ridgepole

- Opposed to the ordinance as written he stated the P & Z committee has made tremendous improvements as it relates to tree.
- Shrubbery rules are unreasonable compared to trees
- Favors reasonably reducing vegetation on property

Interspersed comments:

- Ed Morley, Valley View
Asked what the existing ordinance states about shrubbery. City Manager Lapeyrouse responded a 10' by 10' area.
- Chip Durpo, Alex Mountain
Stated he disagrees with Linda Lapeyrouse on the 10x10 space.
- Connie Larsen asked if there is an issue someone is having, can't they appeal to the Council. City Manager Lapeyrouse responded yes.
- Maureen Platt, was here when there was a big fire on Peak and Peak with strong 30 mph winds the mountain laurel supported the blaze; fire trucks arrived quickly and helped soak the area to prevent it from spreading otherwise it was headed straight up the hill toward her house.

FAVOR of ordinance (began at 9:35)

1. Connie Larsen, Alex Mountain

- Clear up miscommunication; want to maintain view; proposed ordinance makes it much easier to cut and trim trees

2. Ed Morley, Valley View

- Totally disagree with the email message that stated everyone is against the proposed ordinance
- He appreciates the efforts made by the P & Z

3. Debbie Curtis, Demorest

- Thanks committee for their work
- Has read old ordinance; feels new proposed one helps clarify things
- 2 things going on that seem to be at times in conflict with each other:
 - Tree city
 - Fire wise city
- May need to look more closely at shrubbery guidelines
- Hire someone who knows what drop-crotch pruning is and let the pros do it!
- Any regulation has to include definitions to help read and understand document

4. Debbie McAfee:

- Has personally observed amount of hours her husband has spent during the nearly 2 years he's been on this commission in an effort to try to improve the ordinance.

5. Neil Howard, Pleasant Mountain

- Not against ordinance but feels it can be made shorter and more user-friendly
- Make “whereas” and “definitions” as appendices
- Change word “code enforcer” to a more friendly title!
- Focus on “what we need to do and how do we do it”
- Agrees we need a clear sequence of steps for citizens to follow who need permits

Interspersed comments:

Jon Shebel

- Asked if we would consider allowing property owner to send an application to either the City Council or the Inspector. (No, appeals go to council anyway if not happy with staff's decision)

6. Jim Curtis, Demorest Dr

- His view is gradually growing up
- Has worked with city on various permits
- Feels this ordinance is good and wants it to be passed

Jon Shebel comments:

- One last thing, he agrees with all that's been said; new ordinance is more objective; his concern is how it is implemented.
- Comments must be kept and made available to

7. Ed Steil, Ridgepole

- Everyone should do due diligence... read old AND proposed ordinances

8. Steve Powell, W. Sugarbush/Orlando

- Seasonal property owner with no voice
- Bothered by “haves” and “have nots”
- He is a professional salesman and suggests we make it “clean and clear”

9. Maureen Platt, past president of POA

- Major position was advocacy to City for all property owners, seasonal and year round residents.

End of comments.

- Dan read from the proposed ordinance about shrubbery; asked Don Rice does this meet his needs. No need to clarify mitigation for shrubs to agree with mitigation for trees.
- Ben asked when can we; he hates all of the divisiveness
- City Manager Lapeyrouse requested Council/P & Z to reword ordinance to be more specific.
- Neil Howard stated non-year-round property owners DO have a voice as experienced here today
- Debbie Curtis stated let's move it forward

Helen Kleiber made a motion to revise the proposed ordinance to include shrubbery mitigation compare equally with tree mitigation. Also, revise format to put “whereas” statements and definitions at end of document if possible. {was told after meeting by Linda that this can't be done; needs to follow format of all other ordinances – can do a summary guide of two pages max}. Ben Chitwood seconded the motion and vote was 3 in favor and 0 against.

Ben Chitwood made a motion to adjourn and Helen Klieber seconded the motion. Meeting adjourned at 10:55.

Submitted by Helen Klieber