

# Morgan County Planning Commission

Minutes  
Regular Meeting  
May 23, 2019  
7:00 p.m.

PRESENT: Brian Lehman, Connie Booth, Denny Myers, Doug Mundrick, Tara Dillard, Clint Milford, Faye Craft, Scott Campbell

NOT PRESENT: Maryann Dartnell, John McMahon

ALSO PRESENT: Chuck Jarrell, Tara Cooner, Members of the Public

## PUBLIC HEARING

### ADMINISTRATIVE BUSINESS:

I. Acceptance of Minutes from April 18, 2019 work session.

Motion: Ms. Booth made a motion to approve the April 18, 2019 Minutes as presented.

Second: Mr. Myers

Vote: 3:0 The vote to approve the April 18, 2019 Minutes as presented was unanimous. Ms. Dillard, Mr. Milford, Mr. Campbell and Ms. Craft abstained from the vote.

II. Acceptance of Minutes from April 25, 2019 regular meeting.

Motion: Ms. Booth made a motion to approve the April 25, 2019 Minutes as presented.

Second: Mr. Mundrick

Vote: 5:0 The vote to approve the April 25, 2019 Minutes as presented was unanimous. Ms. Craft and Mr. Campbell abstained from the vote.

III. Staff report on past zoning actions.

Mr. Jarrell reported that all previously discussed applications had been approved.

### UNFINISHED BUSINESS:

There is no unfinished business.

### NEW BUSINESS:

The Chairman asked approbation from the Planning Commission members to move agenda items two and three to the beginning of the agenda. No dissent was given.

II. H. Buddy Robinson, Jr., on behalf of Southern Linc, is requesting Conditional Use Approval for a transmission tower on 89.46 acres located at 1771 Centennial Road (Tax Parcel 020-066A).

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Mr. Jarrell presented the Staff Report for both the Conditional Use and Variance. He explained how Southern Linc operated and showed the locations of the proposed tower and nearby existing towers. Maps that the applicant had submitted were shown. The Planning Commission asked about the history of the telecommunications ordinance, regulations in adjacent counties and heights of towers in the county.

Clay Brogdon, 3390 Chippenham Circle, Birmingham, Alabama, spoke on behalf of the applicant. He explained how many companies rely on Southern Linc for service and the importance of reliable service for emergency services. He acknowledged that there were nearby towers but noted that signal strengths from those towers were determined to be weak in the areas necessary. Regarding the requested additional height, he quoted independent experts that had provided analysis stating that the requested height was required for reliable service. He stated that as part of the variance approval, Southern Linc was willing to allow the county to add an antenna to the top of tower at no charge.

Bobby Hildreth, Georgia Power, stated that the importance of coverage during an emergency could not be understated.

No one spoke in opposition.

The Chairman instructed the Commission to limit discussion to the Conditional Use. The number of towers in the county was mentioned, as was the Telecommunications Act.

Motion: Ms. Booth made a motion to recommend approval of the Conditional Use application for a telecommunications tower at 1771 Centennial Road.

Second: Mr. Myers

Vote: 7:0 The vote to recommend approval of the Conditional Use for a telecommunications tower at 1771 Centennial Road was unanimous.

III. H. Buddy Robinson, Jr., on behalf of Southern Linc, is requesting a variance from Chapter 7.26 of the Morgan County Zoning Ordinance related to transmission tower height for property located at 1771 Centennial Road (Tax Parcel 020-066A).

The Chairman directed the conversation to the Variance application.

No one spoke in opposition.

The Planning Commission asked whether the height difference was to serve Southern Linc or if it was a strategy to entice other providers. Mr. Brogdon responded that the additional height did make the tower more valuable real estate for other providers, but that the requested height was to provide coverage for Southern Linc users. He again offered the county the top position on the tower. He responded to questions about the height of antennas and attempted to explain the intricacies of the differences depicted on maps submitted by the applicant. There was a debate about the heights of other towers in the county and Mr. Brogdon balked at explaining the legal language denigrating the value of

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the subject property that was submitted with the application. The Planning Commission discussed whether approval of the variance would necessitate a change in the zoning ordinance due to precedent.

Motion: Mr. Mundrick made a motion to recommend approval of the request for a Variance for an additional 50 foot of tower height, for a total height of 300 feet, with the condition that Southern Linc must reserve the top antenna position on the tower for the county at no charge to the county, as offered by Mr. Brogdon.

Second: Mr. Campbell

Vote: 6:1 The vote to recommend approval of the Variance request for an additional 50 feet of tower height was approved. Ms. Booth dissented.

- I. Springfield Missionary Baptist Church is requesting Conditional Use approval to construct a pavilion on 9.29 acres located at 2050 Bethany Church Road (Tax Parcel 054-053).

Mr. Jarrell presented the Staff Report and showed the locations of the church building, parking lot and cemetery. He noted that the church intended to construct a basketball court and playground in addition to the pavilion. He stated the only concern from Staff was related to a note on the recorded plat indicating numerous unmarked burials on the property.

Robert Tolbert spoke on behalf of the applicant and explained the difficulty encountered when the church elderly attended events with no shade. He stated the intent was to construct a 40' x 70' pole barn. He talked about the history of the church and property and explained that the church elders were aware of grave locations.

Motion: Ms. Booth made a motion to recommend approval of the Conditional Use application to construct a pavilion at 2050 Bethany Church Road.

Second: Mr. Myers

Vote: 7:0 The vote to recommend approval of the Conditional Use application to construct a pavilion at 2050 Bethany Church Road was unanimous.

ADJOURNMENT

The Chairman adjourned the meeting.

B Lehman  
Brian Lehman, Chairman

Date 6/27/19

Tara Cooner  
Tara Cooner, Secretary

Date 6-27-19

