

# AGENDA

## PUBLIC HEARING OF THE GOVERNING AUTHORITY OF WALKER COUNTY, GEORGIA

Walker County Courthouse Annex III, 201 S Main Street  
LaFayette, Georgia 30728

**Date:** Thursday, August 27, 2020

**Time:** Public Hearing 6:00 PM  
The Regular Scheduled Meeting will immediately follow the Public Hearing

**Invocation:** Given by Commissioner Shannon Whitfield

**Call to Order:** Commissioner Whitfield will call the meeting to order

**Pledge:** United States Flag

**Pledge:** Georgia Flag

### Open of Public Hearing

#### New Business:

- I. John Wesley & Carla Boldt requests a rezone from R-1 to A-1 for property located at 1581 Chattanooga Valley Road Flintstone, GA 30725. Tax map & parcel number 0-064-007 (*First Public Hearing was on August 20, 2020 at the Planning Commission Meeting.*)

***Speakers will be asked to come to the podium and state their name for the record. Please limit your comments to five minutes and keep them on the above topic.***

**Adjournment:** Commissioner Whitfield will adjourn the Public Hearing

# WALKER COUNTY PLANNING COMMISSION

## Application for Re-Zoning Amendment

|   |                             |  |
|---|-----------------------------|--|
| PLEASE PRINT OR TYPE  |                             | Date <u>7-15-2020</u>  |
|   |                             | FEE \$ <u>150.00</u>   |
|   |                             | Case No.   |
| Owner's Name <u>John Wesley Boldt Jr, Carla D. Larry + <del>Ann</del> Coppit</u>          |                             | Mailing Address <u>1581 Chattanooga Valley Rd.</u><br><small>INCLUDE ROUTE AND BOX # IF ASSIGNED</small> |
| City/Zip <u>Flintstone, GA 30725</u>  |                             | Phone <u>423-834-6946</u><br><u>423 762-1707</u>   |
| Tax Parcel # <u>0-064-007</u>   |                             | Street Name and Number <u>1581 Chattanooga Valley Rd.</u>  |
| Current Zoning <u>R-1</u>   | Requested Zoning <u>A-1</u> |  |
| Reason for Change (Be Specific):<br><u>to change zoning so they can have farm animals</u> |                             |  |
|   |                             |  |
|   |                             |  |
| <u>8-20-2020 - Planning Commission - tabled</u>   |                             |  |
|   |                             |  |
|   |                             |  |
|   |                             |  |
|   |                             |  |
| IF ADDITIONAL SPACE IS REQUIRED, ATTACH A SEPARATE SHEET                                  |                             |  |
| LAND USE PLAN DESIGNATIONS  |                             |  |
| CURRENT   | FUTURE                      |  |
| I SWEAR UNDER PENALTY OF LAW THAT THE WITHIN INFORMATION IS TRUE, CORRECT AND COMPLETE.   |                             |  |
| Owner's Signature <u>Carla D. Boldt</u>   | Date: <u>7/15/2020</u>      |  |
| Date Received by the Planning Office:   |                             |  |
| Planning Commission Decision/Date   |                             |  |

FOR OFFICE USE

The Owner/Applicant must notify each adjoining property owner by providing them a copy of this application. Proof of notification must be provided to the Planning Office. Additionally, a sign, furnished by the Planning Commission will be posted on the subject front property line at least 15 days prior to the meeting date. Written notification must be mailed at least 15 days prior to the meeting date. This application must be fully complete prior to filing.

John Wesley Boldt Jr,

Applicant: Carla D. Larry + Alice Coppit

Map & Parcel: 0-064-007 Rezone from: R-1 to: A-1

**PLANNING COMMISSION RECOMMENDATION:**

\_\_\_\_\_ APPROVED AS SUBMITTED

\_\_\_\_\_ APPROVED WITH CONDITIONS

8-20-2020 TABLED

\_\_\_\_\_ DENIAL

**COMMISSIONERS FINAL DECISION:**

\_\_\_\_\_ APPROVED AS SUBMITTED

\_\_\_\_\_ APPROVED WITH CONDITIONS

\_\_\_\_\_ TABLED

\_\_\_\_\_ DENIAL

The following disclosure is required of the applicant(s) by Section 36-67A-3 of O.C.G.A. The following is for disclosure purposes only and does not disqualify the petition.

Within the past two years, have you made either campaign contributions totaling \$250.00 or more and/or given gifts having value of \$250.00 or more to a local government official who will be responsible for making a recommendation or decision on the application? YES ( ) NO ( ). If so, then on a separate page, please furnish the following information.

- A) The name of the local government official(s) to whom cash contribution or gift was made.
- B) The dollar amount(s) and date(s) of each campaign made by the applicant to each local government official during the two years immediately preceding the filing of the application: and
- C) An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to each local government official within the past two years:

Signature of Petitioner/Owner:

Carla D. Boldt 7/15/2020

OWNER

DATE

\_\_\_\_\_  
PETITIONER

\_\_\_\_\_  
DATE





## Walker County Planning Commission

### MINUTES

August 20, 2020

Walker County Civic Center

6:00 PM

### ATTENDEES:

#### Planning Commission Members

Phillip Cantrell  
Michael Haney  
Scott McNabb  
Sam Bowman  
Gerald Cook  
Sid Adams  
Susan Tankersley  
Moe Gass  
Daryl Brooks  
Terry Newberry  
Jack Mullinax

#### Walker County Planning Staff

David Brown, Director of Codes, Inspections & Planning  
Kristy Parker, Planning Commission Secretary

### I. CALL TO ORDER:

Chairman Phillip Cantrell called the meeting to order at 6:00 P.M.

### II. READING & APPROVAL OF THE JULY 16<sup>TH</sup>, 2020 MEETING MINUTES:

Chairman Cantrell asked if there were any questions or changes to the minutes and if not was there a motion to approve. Susan Tankersley made a motion to approve. Terry Newberry seconded the motion. Vote was unanimous. Motion to approve carried.

### III. NEW BUSINESS:

#### A. Rezone:

**1. John Wesley & Carla Boldt:** Mr. Boldt came forward and explained that he had a potential buyer for his property but they wanted to have some chickens and horses so they would like to rezone from R-1 to A-1 since the property did touch A-1. Several neighbors came forward and stated they did not mind some chickens and a couple of horses but they did not want any pigs. After some discussion Chairman Cantrell asked if there was a motion. Sam Bowman made a motion to approve. Moe Gass seconded the motion. Sam Bowman, Moe Gass and Sid Adams voted in favor of motion to approve. Terry Newberry, Scott McNabb and Michael Haney voted to deny. Jack Mullinax, Susan Tankersley, Daryl Brooks and Gerald Cook abstained. Motion to approve failed with lack of votes. Chairman Cantrell then asked if there was another motion. Michel Haney made a motion to table. Terry Newberry seconded to motion. Susan Tankersley and Jack Mullinax abstained and eight members voted in favor of tabling. Motion to table carried.

**B. Variance:**

**1. Bill Otting Inc.:** Mr. David Otting came forward and explained that they would like a variance from 60' to 40' from centerline of Cooper Road for a lot in Twelve Oaks Subdivision. Chairman Cantrell asked if there was a motion. Gerald Cook made a motion to approve. Michael Haney seconded the motion. Vote was unanimous to approve. Motion to approve carried.

**2. Dustin Ryan:** Mr. Dustin Ryan came forward and explained that he had bought the property on Chattanooga Valley Road and took the word of the seller that he would be able to build back the house that had burnt about a year and a half ago. After calling the Planning Office he said he found out that it had lost the grandfathered use. He said that he was planning on building that house for himself to live in and the others being rented out. Chairman Cantrell asked if there was a motion. Daryl Brooks made a motion to deny. Sid Adams seconded the motion. Moe Gass, Sid Adams, Daryl Brooks and Susan Tankersley voted in favor of the motion to deny. For lack of votes Chairman Cantrell asked if there was a second motion. Jack Mullinax made a motion to approve. Michael Haney seconded to motion. Scott McNabb, Gerald Cook, Jack Mullinax, Michael Haney, Sam Bowman and Terry Newberry voted in favor of motion to approve. Motion to approve carried.

**3. Jimmy Maggard Jr.:** Mr. Maggard came forward and said that he had purchased forty-eight acres and would like to divide himself and his two daughters off one acre each to build on and they all share the same drive. After some discussion on the required five acre rule on shared drives Chairman Cantrell asked if there was a motion. Jack Mullinax made a motion to deny. Terry Newberry seconded the motion. Nine members voted in favor to deny and Daryl Brooks abstained. Motion to deny carried.

**IV. ADJOURNMENT:**

Susan Tankersley made a motion to adjourn. Gerald Cook seconded the motion. Motion carried. Meeting adjourned.

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Date Submitted Planning Commission Chairman

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Date Submitted Kristy Parker, Planning Commission Secretary

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Date Submitted David Brown, Director of Codes, Inspection & Planning

These minutes are also available in the Planning Office



# Rights advocates call for repeal of Georgia citizen's arrest law

By Dave Williams  
Catoosawalkernews.com

ATLANTA — Georgia's citizen's arrest law has a history of racism and encourages civilians lacking law enforcement training to take the law into their own hands, civil- and human-rights advocates said Monday, July 13.

"Law enforcement has resources to handle these kinds of things," Christopher Bruce, political director for the Georgia chapter of the American Civil Liberties Union, told members of a legislative committee. "We should encourage citizens to look to law enforcement."

The Georgia House Judiciary Non-Civil Committee took the first step with Monday's hearing (July 13) toward fulfilling House Speaker David Ralston's pledge

to follow up on the General Assembly's recent passage of a hate-crimes law by considering additional criminal justice reforms.

The state's citizen's arrest law became a focus of attention following the fatal shooting earlier this year of Ahmad Arbery, a 25-year-old black man gunned down while jogging near Brunswick. Two white men, a father and son, charged with murder in the case have claimed they were trying to make a citizen's arrest because they suspected Arbery had committed a burglary.

The law was put on the books in Georgia during the Civil War, a time when white slaveholders were trying to prevent runaway slaves from joining the Union Army, said the Rev. James Wood-

all, president of the NAACP's Georgia chapter.

"This law was literally written to keep Negroes as slaves," he said.

After the war, vigilante mobs used the law to justify the lynching of blacks, Wood-

all said.

Both the ACLU and NAACP are recommending that the General Assembly repeal citizen's arrest as an outdated law that is no longer necessary in an era when law enforcement agencies have sufficient resources to handle criminal complaints.

But some of the committee's Republican members questioned whether doing away with the citizen's arrest law would leave

Georgians unprotected from home invasions or shopkeepers with no recourse to detain shoplifters.

Rep. Bert Reeves, R-Marietta, said a police officer can't always be present.

"Can I detain somebody not authorized to be in my home or car?" he asked.

Marissa McCall Dodson, public policy director for the Southern Center for Human Rights, said the citizen's arrest law could be repealed while maintaining the ability of shopkeepers to detain shoplifting suspects. Homeowners would still be protected by the legal right to self-defense, she said.

"Citizen's arrest and self-defense are not the same," she said. Gwinnett County District Attorney Danny Porter, who also

testified Monday, said the cases of citizen's arrests he has encountered in his decades as a prosecutor typically don't go well because civilians attempting to make citizen's arrests lack legal training.

"I'm personally not in favor of citizens arresting one another," Porter said. "They usually turn out badly with someone's misinterpretation of the law."

However, Porter urged lawmakers to consider the potential consequences of abolishing homeowners' ability to make a citizen's arrest during a home invasion, leaving them with only the legal protection of self-defense.

"You incentivize a homeowner to kill someone rather than detain them under the citizen's arrest law," he said.

## SHERIFF'S REPORT

Walker County Sheriff's Office booking report for July 6 — 12

♦♦♦

♦ Brown, Christi Lynn, 34, 1075 Valley Road, Trion, improper lane change/failure to maintain lane, driving under the influence of drugs, DUI endangering a child under 14 years of age

♦ Fickey, Ryan David, 29, 368 Highway 151, LaFayette, reckless driving, possession and use of drug-related objects, headlight requirements all vehicles except motorcycles, driving while license suspended or revoked (first offense), improper lane change/failure to maintain lane, possession of less than 1 ounce of marijuana, fleeing/attempting to elude police officers (misdemeanor)

♦ Webb, Jacob Alex Michael, 28, 8 Parkview Circle, Rossville, criminal trespass — trespassing on property

♦ Davis, Lonza, 60, 67 Davis Drive, Chickamauga, simple assault

♦ Griffin, Richard, 64, 824 W. Armuchee Road, LaFayette, public drunk

♦ Coulter, Barbara Kimberly, 57, 662 W. Bell Ave., Chattahoochee, Tenn., possession of cocaine

♦ Skinner, Jordan Leighanne, 28, 3503 Second Ave., Chattanooga, Tenn., failure to appear (misdemeanor), theft by taking (misdemeanor), discharge of weapon within 50 yards of public highway, reckless conduct, sale of a Schedule I or II controlled substance, possession of a Schedule II controlled substance, receipt by receiving stolen property (felony), possession of tools for the commission of a crime, possession of firearm or knife during commission of or attempt to commit a crime, cruelty to children (first degree) (two counts), aggravated assault (five counts)

♦ Keller, Shane Michael, 31, 4218 Dods Ave., Chattanooga, Tenn., probation violation (felony)

♦ Snow, Brandon Garrett, 37, 840 Dunwoody Road, LaFayette, probation violation (felony)

♦ Perkins, Ricky Joe, 25, 723 Flegal Ave., Rossville, theft by taking (misdemeanor), willful obstruction of law enforcement officers (misdemeanor) (three counts)

♦ Cordell, Daniel Aaron, 35, 679 Monroe Green Road, Trion, battery (family violence) (first offense) (misdemeanor)

♦ Millsaps, Azlyn May, 19, 3918 Bennett Road, East Ridge, Tenn., possession and use of drug-related objects, possession of a Schedule II controlled substance — trespassing on property

♦ Adair, Regan Michelle, 30, 107 Wilson St., Rossville, theft by receiving stolen property (felony), parole violation; giving false name, address or

birthdate to law enforcement officer

♦ Campbell, Bryan Stacy, 47, 107 Wilson St., Rossville, theft by receiving stolen property (felony), parole violation

♦ McWhorter, Austin Tyler, 27, 37 Thompson Circle, LaFayette, probation violation (felony)

♦ Murphy, Dante Cameron, 20, no address provided, probation violation (felony)

♦ Culberson, Janice Nichole, 45, 2 S. Lynn Circle, Rossville, probation violation (felony)

♦ Spranger, William Erich, 55, 1208 Kelly St., Rossville, willful obstruction of law enforcement officers (misdemeanor) (two counts)

♦ Kirk, William Randall, 56, 2884 LaFayette Road, Chickamauga, failure to appear (misdemeanor), failure to appear (felony)

♦ Harris, Shawandra Kenish, 123 Mahan Ave., LaFayette, driving while license suspended or revoked (first offense), no insurance, driving under the influence of alcohol, improper lane change/failure to maintain lane, improper right turn; knowingly driving a motor vehicle on suspended, canceled, revoked registration

♦ Williams, Mark Tyler, 26, 114 Myers St., Chickamauga, striking fixed object

♦ Walker, Ashley Nicole, 32, 851 Old Cleveland Pt., Ooltewah, Tenn., probation violation (felony), driving while license suspended or revoked (first offense)

♦ Vaughn, Jason Daniel, 26, 655 Ridgeview Drive, Chickamauga, aggravated assault (five counts), possession of methamphetamine, theft by receiving stolen property (felony)

♦ Sisson, Chad Allen, 40, 102 Polo Field Road, Chattanooga, Tenn., probation violation (felony)

♦ Simmons, Jeremy Dee, 38, 409 Rogers Road, Chickamauga, failure to appear (misdemeanor) (two counts), failure to appear (felony) (two counts), willful obstruction of law enforcement officers (misdemeanor)

♦ Brown, Eric Marshall, 35, 4946 Highway 151, LaFayette, habitual violator, altered license plate, possession of methamphetamine, driving while license suspended or revoked (first offense)

♦ Bowman, Dalton Jeffrey Dewayne, 18, 60 Bowman Court, Chickamauga, probation violation (felony)

♦ Henderson, Christopher Thomas, 38, 49 Fourtine St., LaFayette, probation violation (felony), drugs to be kept in original container, willful obstruction of law enforcement officers (misdemeanor), possession of Schedule IV controlled substance, possession of

methamphetamine

♦ Smith, Courtney Lebron, 30, 19 Tunnel Blvd., Chattanooga, Tenn., possession of cocaine, possession of methamphetamine, possession of less than 1 ounce of marijuana, willful obstruction of law enforcement officers (misdemeanor)

♦ Gomez, Gumaro, 26, 1030 Willowdale Road North, Dalton, tag light required, failure to appear (misdemeanor), improper lane change/failure to maintain lane, open container violation beer/ale/proter/stout/similar beverages, driving without a valid license (misdemeanor), driving under the influence of alcohol; knowingly driving a motor vehicle on suspended, canceled, revoked registration

♦ Anderson, Nicholas Baines, 26, 1124 Lytle Road, Chickamauga, probation violation (felony)

♦ Alverson, Suzanne Marie, 50, 308 Pledger Parkway, LaFayette, theft by shoplifting (misdemeanor)

♦ Bowers, Joshua David, 31, 107 Brock Road, Chickamauga, possession of methamphetamine, starburst windshield/rear window crack not to exceed greater than 3 inches by 3 inches

♦ Gray, Tessa Lanette, 44, 1959 Peavine Road, Rock Spring, possession of methamphetamine

♦ Yoder, Amy Felisa, 43, 60 Dunn Drive, LaFayette, starburst windshield/rear window crack not to exceed greater than 3 inches by 3 inches, seat belts violation (adults), willful obstruction of law enforcement officers (misdemeanor), possession and use of drug-related objects, possession of methamphetamine

♦ Nestor, Ashton Aleasha, 28, 2425 W. Armuchee Road, LaFayette, drugs to be kept in original container (four counts), possession of a Schedule II controlled substance, permitting another to operate vehicle without insurance, altered license plate, failure to appear (felony); knowingly driving a motor vehicle on suspended, canceled, revoked registration

♦ Slaton, Justin Richard, 39, 1798 Old Chattanooga Valley Road, Flintstone, parole violation, simple battery (family violence)

♦ Hannah, Charles Edward, 51, 1003 Park City Road, Rossville, possession of methamphetamine, possession and use of drug-related objects, removing/affixing tag with intent to conceal identity of vehicle

♦ Van-Nice, Hannah Ashley, 30, 1798 Old Chattanooga Valley Road, Flintstone, simple battery (family violence)

♦ Bunch, Owen Gene, 58, 1328 Camp Road, Chickamauga, improper lane



change/failure to maintain lane, driving under the influence of alcohol

♦ Carroll, James David, 37, 61 Cone Lane, Chickamauga, driving under the influence of alcohol

♦ Thompson, William D., 40, 1205 Hales St., Guild, Tenn., possession of methamphetamine, possession and use of drug-related objects, failure to obey traffic control device, driving while license suspended or revoked (first offense)

♦ Tracy, Ashley Tad, 48, 5524 N. Highway 27, LaFayette, theft by shoplifting (misdemeanor)

♦ Bales, Jennifer Raiechyl, 31, 6 Mathis Drive, Rome, possession and use of drug-related objects, possession of methamphetamine

♦ Phillips, Mavis April Benay, 21, 201 New Ridge Road, Chickamauga, cruelty to children (first degree), battery (family violence) (first offense) (misdemeanor)

♦ Farris, Ronald Jason, 37, 1 Walters Lane A, Rossville, improper lane change/failure to maintain lane, driving while license suspended or revoked (first offense)

♦ Smith, Clory Rochelle, 34, 300 Cooper St., LaFayette, hold for court

♦ Moore, Shelly Marie, 33, 51 Lowerly Lane, Chickamauga, loitering and prowling, disorderly conduct

♦ Sampley, Damon Laddale, 40, 909 Shipp Road, LaFayette, habitual violator, driving while license suspended or revoked (first offense), taillights/lenses required vehicles manufactured prior Jan. 1, 1954

♦ McDaniel, Tyler Scott, 26, 7221 Maxwell Court, North Highlands, Calif., willful obstruction of law enforcement officers (misdemeanor), disorderly conduct, simple assault, criminal trespass (trespassing on property)

♦ Gonzales, Jemalove Ago, 28, 306 Sequoia Drive, Chattanooga, Tenn., driving while license suspended or revoked (first offense), disorderly conduct, loitering and prowling, expired license plate, no insurance, driving under the

influence of drugs

♦ Reed Jr., Lonnie Dale, 31, homeless, probation violation (felony)

♦ Daugherty II, David Michael, 39, 100 Chandler Road, Chickamauga, possession and use of drug-related objects, possession of methamphetamine

♦ Paulson, Jared Scott, 26, 3810 Wiley Ave., Chattanooga, Tenn., failure to obey traffic control device, expired license plate, driving under the influence of alcohol

♦ Strickland, Terry Wayne, 40, 72 Little Oakland Drive, LaFayette, pointing or aiming pistol or gun at another, reckless conduct, aggravated assault

♦ Williams, Cortney Danielle, 36, 697 Greenbush Road, LaFayette, driving while license suspended or revoked (second offense within five years), lighted headlights/other lights required 1/2 hour after sunset to 1/2 hour before sunrise

♦ Smith, Justin Wayne, 38, 1020 Birmingham Highway, Cleveland, Tenn., driving wrong side of road, too fast for conditions, driving without license on person, reckless driving, driving under the influence of alcohol

♦ Alpha, Seth Ryan, 18, 6650 Trion Highway, LaFayette, permitting unlicensed person to drive, open container beer/ale/proter/stout/other similar beverages; furnishing to, purchasing of or possession of alcoholic beverage by person under age 21

♦ Henson, Paul Edward, 55, 99 Walnut St., 205, Chattanooga, Tenn., driving under the influence of alcohol, improper lane change/failure to maintain lane

♦ Scharich, Adam Patrick, 28, 7359 Old Cleveland Pike, Chattanooga, Tenn., improper stopping/parking on roadway, driving under the influence of alcohol

♦ McPeak, Loki Aiden Jacob, 17, 26 N. Steele St., LaFayette, criminal trespass (family violence)

♦ Goodman, Thomas Lee, 70, 124 Gravit Lane, Chickamauga, aggravated assault (family violence), aggravated assault (three counts), terrorist acts (four counts), pointing or aiming gun or pistol at another (four counts), possession of firearm or knife during commission or attempt to commit a crime; receipt, possession or transfer of firearm by convicted felon or felony first offender (18 counts)

Compiled by assistant editor Catherine Edgemon

## BALLINGER RECYCLING

1007 S. Chattanooga St. LaFayette, GA 30728



706-638-4344

Sunday-Friday 9:00am-5:00pm • Closed Saturdays

### PUBLIC NOTICE WALKER COUNTY PLANNING COMMISSION MEETING

Thursday, August 20th, 2020 at 6:00 P.M.  
Walker County Civic Center  
Rock Spring, GA 30739

The Walker County Planning Commission will meet and review the following requests:

- Rezoning:**
- John Wesley & Carla Boldt requests a rezoning from R-1 to A-1 for property located at 1581 Chattanooga Valley Road Flintstone, GA. 30725. Tax map & parcel number 0-064-007
- Variance:**
- Bill Otting requests a variance for property located at 97 Windy Oak Drive Rock Spring, GA. 30739. Tax map & parcel number 0-335-1-081
  - Dustin Ryan requests a variance for property located at 3891 Chattanooga Valley Road Flintstone, GA. 30725. Tax map & parcel number 0-050-099
  - Jimmy Maggard Jr. requests three variances for property located at 0 Old Dalton Road LaFayette, GA. 30728. Tax map & parcel number 0-351-0-100

The second hearing on the rezoning request will be held on August 27, 2020 at 6:00PM at the Walker County Courthouse Annex III located at 201 S. Main Street LaFayette, GA. 30728

For further information please call Walker County Planning & Development at 706-638-4048.