

**MINUTES
PUBLIC HEARING
WARE COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 13, 2025
5:00 p.m.**

The Ware County Board of Commissioners held a Public Hearing, Monday, October 13, 2025, at 5:00 p.m. in the Ware County Commission Chambers, 305 Oak Street, Suite 201, Waycross, Georgia 31501, with Chairman Elmer Thrift presiding.

CALL TO ORDER	Chairman Elmer Thrift
COMMISSIONERS PRESENT	Commissioner Leonard Burse, Commissioner Barry Cox, Commissioner Jon Tindall
COMMISSIONERS ABSENT	Commissioner Timmy Lucas
STAFF PRESENT	County Manager James Shubert; Assistant County Attorney Jennifer Herzog, County Clerk Melinda Brooks
PRESS	Danny Bartlett - WJH
INVOCATION	The invocation was waived from the Work Session
PLEDGE OF ALLEGIANCE	The Pledge of Allegiance was waived from the Work Session

Call to Order:

Chairman Thrift called the public hearing to order at 4:52 p.m.

Article VIII Text Amendment

Interim Planning Director Dustin Minchew advised the Commission that this request is to amend the Ware Zoning Resolution Text Article VIII to change the minimum rear setbacks in LI-Limited Industrial from 100 feet to the same requirements as GI-General Industrial. Text would read as follows: *“25 feet from the rear property line. Wherever a property line abuts a railway right-of-way, this setback requirement may be waived for the sole purpose of providing a facility for direct loading and unloading between railway cars and buildings.”* He said the Waycross-Ware County Planning Commission voted unanimously to approve this request at the September 11, 2025, meeting. He also noted the current setback of 100 feet for LI has been the same for several decades.

Support

No one spoke in support of the request.

Oppose

When Chairman Thrift asked if anyone was opposed to the request, no one spoke.

Added to Regular Meeting Agenda

Request to Rezone from IP and SDD IP to GI and SDD GI

Interim Planning Director Minchew told the Commission this request is to rezone parcels “050 03 001”, “050 03 002”, “050 03 015”, and “050 03 016”, “050 03 0210” from IP-Industrial Park & SDD IP-Special Development District Industrial Park to GI-General Industrial and SDD GI-Special Development District General Industrial for the purpose of opening up opportunities for development at the industrial park. The Waycross-Ware County Planning Commission unanimously approved this request at the August 14, 2025, meeting.

Chairman Thrift asked what the difference is between the IP and GI. Mr. Minchew told him the biggest difference is the permitted use. He explained IP has more buffer requirements, such as landscaping, and the buildings must be stucco, not plain metal. When Simmons Mattress decided to locate here, the property was rezoned from GI to IP, and now the request is to change it back

Support

Applicant, Jason Rubenbauer, President and CEO of Waycross-Ware County Development Authority, was present.

Oppose

Chairman Thrift asked if anyone opposed the request, but no one spoke.

Added to Regular Meeting Agenda

Request to Rezone 2401 State Street from R-90 to C-3

Interim Planning Director Minchew told the Commission that this request is to rezone 2401 State Street from R-90 (Residential District) to C-3 (General Commercial District) for the purpose of renting the property for commercial use. The property is located on the NW corner of the State Street and Waring Street intersection. All parcels facing this property (across Waring Street) are already zoned C-3. The Waycross-Ware County Planning Commission voted unanimously to approve this request at the August 14, 2025, meeting.

Support

No one spoke in support of the request.

Oppose

Chairman Thrift asked if there was any opposition to the request, but no one spoke.

Added to Regular Meeting Agenda

Request to Rezone 840 McKinley Road from R-75 to R-75MH

Interim Planning Director Minchew presented the request to rezone 840 McKinley Road from R-75 Residential to R-75MH Residential for the purpose of placing single-wide mobile homes on the property for rent. Mr. Minchew said the surrounding properties are zoned R-75 MH. He explained that the applicant, who was not present, wants to put three or four mobile homes facing Beauregard Street.

Support

No one spoke in support of the request.

Oppose

Stephen Leach – 852 McKinley Road

Mr. Leach is opposed to having several mobile homes moved in due to his previous experience with criminal activity when there were several mobile homes in the area before. However, he is okay with just a few.

Alex Pittman – 2295 Bell Street

Mr. Pittman said he does not want “50 trailers” moved in because people will tote off his equipment. The applicant had told him he wanted to put in as many mobile homes as possible, but Mr. Pittman would be okay with two or three.

Commissioner Cox asked if approving the zoning request would allow a mobile home park. Mr. Minchew told him that a mobile home park has to be approved by the Commission. The applicant stated he only planned to put in three or four to avoid having to go through the process of setting up an actual park.

After more questions from the Commission regarding mobile home parks, County Manager Shubert explained that a mobile home park has a minimum of 12 mobile homes, and the required size (square footage) of the lots is different, depending on the mobile home type. He told them that the current R-75 Residential zoning requires Class A double-wide mobile homes with brick or block skirting, water and sewer hook-up, and a standard lot size of approximately 9,000 square feet. Even with changing zoning, an applicant would have to provide subdivision plans showing each lot/mobile home. Because of so many unanswered questions, the Commission discussed tabling this item until the applicant, Dongray Johnson, could be present to clarify what his intended plans are for this property.

Added to Regular Meeting Agenda

Request to Close/Abandon a portion of Center Street

Interim Planning Director Minchew advised the Commission that this request is to close/abandon an unopened 50’ x 400’ section of road known as Center Street, located in the South Deenwood Subdivision. The applicant, Dale Poole, wants to obtain the road right-of-way and use it as a closed-access private driveway, as he owns the adjacent property. This portion of roadway was platted, dated September 15, 1948, but it was never formally opened. There are no records of it being maintained in the last 20 years or before. Ware County owns the fee simple title.

Support

Niru Patel – 2001 Carswell Avenue

Mr. Patel owns the convenience store at this address and states he would like for the road to stay closed. Applicant, Dale Poole, was also present. He explained that he spent approximately \$15,000 without knowing the County had a right-of-way. It was when he reached out to some owners to purchase their property that he found out about that they had ROW. Commissioner Tindall explained when a road is closed, it is split down the middle with half going to the bordering landowners.

Oppose

Heather and Lawrence Kirkhart – 2342 Carswell Avenue

Mrs. Kirkhart told the Commission they recently built a home and have applied to farmstead

the property. They own 31 acres, which has a large ditch on one side. She had researched how to share to roads before purchasing the property. They want to share Mr. Poole's driveway because none of the other platted roads are open or available. (Unlike Mr. Poole's improvements to his portion of Center Street, none of these access roadways have been cleared or built up.)

During the discussion, Assistant County Attorney Jennifer Herzog indicated that in Georgia, a landowner cannot be legally landlocked. However, the application has access to the property at the driveway located at 2342 Carswell Avenue. Due to the deep ditch running across the end of her property, she cannot access that section of property without building a bridge or road across the ditch. The Commission noted other access roads, but Mrs. Kirkhart stated that using the other roads would require them to drive almost .75 miles, possibly on a tractor. Mr. Poole's driveway is between .25 and .5 miles from their driveway. When asked, she was uncertain just who would need access and for how long. She is in the process of applying to farmstead her property.

Added to Regular Meeting Agenda

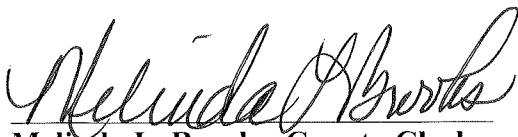
CLOSURE

Commissioner Burse made a motion to close the public hearing. Commissioner Tindall seconded the motion, which passed unanimously.


The public hearing was closed at 6:04 p.m.

Date proposed to be approved: December 8, 2025

ATTEST:


Melinda L. Brooks, County Clerk


Elmer Thrift, Chairman


Date

