

Help Protect Our Mountains & Lake, “A Cause Worth Fighting For”  
Q & A from the Desk of Commissioner Bill Kendall

1. I see a building on the side of the mountain as you turn to go to Helen, Ga. that looks to be five or more stories high. How can this happen when you passed an ordinance in 2006 prohibiting high-rise buildings which limits building heights to 35’ or three stories whichever is less?

Ans. The owner/builder constructed the building without a valid building permit & therefore the Building Dept wasn’t inspecting it as it went up. Upon being made aware of what was happening, I ordered the construction on the building to be stopped.

2. What can be done about this? If he can get by with this, will it not open the door for anybody else to construct buildings even higher than this one?

Ans. You are correct. I have instructed County Attorneys to file legal papers in the Superior Court in Towns County to have the building torn down to three stories as required by the Ordinance.

3. What happens if the Court rules to allow the building to remain?

Ans. I will have the County Attorney to appeal to the State Supreme Court if necessary. This could be a court test case to see if the Ordinance will hold up. Other similar cases in other counties in the State have prevailed when their ordinances were challenged. The best legal minds including our County Attorneys and the Attorneys with the Association of County Commissioners of Georgia say it will stand the court test.

4. If the Courts rule against the Ordinance, and that the Ordinance is invalid, then what?

Ans. Developers & big money backers will be allowed to construct more high-rise buildings to any height they wish and as more buildings go up above 35’ or three stories, beyond the capacity of our Fire Dept to protect, Towns County’s ISO insurance rate, which presently is very good, will increase, costing all Towns County citizens higher fire insurance on their homes. These additional high-rise buildings will require more tax money to pay for additional infrastructure to accommodate the increased population of citizens in these high-rise buildings. The beauty of our county and quality of life of our citizens will greatly be diminished.

5. What can I do to help protect our County & Mountains?

Ans. Stay involved, informed and get your neighbors involved in what is happening in your fast changing County that effects your pocketbook & quality of life. Of all the Ordinances I have passed to protect our mountains, lake and quality of life, **I feel the Building Height Ordinance is the most vulnerable.** Not that it will be overturned by the Courts, but that big money & greed will keep fighting by using tactics they have successfully used in other places of misinformation, and dividing citizens to get the Ordinance overturned through the political arena. The best thing

in favor of protecting the Ordinance is that Towns County citizens, I feel, are better educated, environmentally sensitive minded, well read and informed on issues that effect their county and the quality of their lives. It will continue to be a struggle, but in the end through perseverance we will prevail.