

Email Correspondence



Correspondence with

Lamar County Zoning Administrator

Covering all development undertaken on

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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Please Take a Look At This

Private & Confidential

Anita,

Please take a look at the attached image. The same people that [REDACTED] finished building this house, are building another one right beside it. I don't know if they were informed to stay under a certain sized area, or whether they agreed to, and I don't know if additional permits were required if they went over it.

Also, I need a copy of the county codes, to ensure I abide by the rules.

You know, we never wanted to live in a place like we do now. We tried are best to purchase that land, to keep it from being developed so we could be left alone, but someone went out of their way to make sure that didn't happen. So is life, and now so is my home.

Thanks for your help,

[REDACTED]

765? McCollum Rd

$62,177.5 \text{ ft}^2 = 1.45 \text{ Acres}$

Which is > 1 Acre.

Measure distance

Click on the map to add to your path

Total area: $62,177.75 \text{ ft}^2$ ($5,776.50 \text{ m}^2$)

Total distance: 1,025.72 ft (312.64 m)



Measure distance

Click on the map to add to your path

Total area: 69,307.53 ft² (6,438.88 m²)

Total distance: 1,797.68 ft (547.93 m)



Measure distance

Click on the map to add to your path

Total area: 52,892.88 ft² (4,913.91 m²)

Total distance: 966.92 ft (294.72 m)



Local Time: Apr 11, 2021 5:58:56 PM
Lat, Lon: 33.013302, -84.182109
Alt: 788ft MSL WGS84
CEP: 10ft

Azimuth and Bearing
93° S3E



Massive 60 Acre [REDACTED]

Private & Confidential

Maybe you have forgotten, but the last time I contacted Anita Buice she practically called me a liar over measurements made with a laser rangefinder under instructions of a surveyor. When asked where the book of codes were, she stumbled to inform us it was in pieces across her office and she didn't quite know. She has expressed bias, attempting to slap my family with a fine for not mowing a pasture, while allowing her friends to develop land uninhibited by county policies. Frankly I would come out better talking to a brick wall.

On Wed, Nov 1, 2023, 4:26 PM [REDACTED] wrote:

Mr. [REDACTED]

Unfortunately, EPD doesn't have regulatory authority over general locations of development. The siting of the development would usually come down to the local zoning of a piece of property. Zoning may currently allow this type of development or there may be an application process that can be filed with Lamar County to change zoning upon review of the local government. There probably would also be public hearings involving a zoning change. I'm not sure which situation would be applicable here.

These are a few items that the state does have regulation over. These are also mirrored by the county (the local issuing authority for construction permits).

-There would have to be a 25' undisturbed buffer applied to any intermittent state waters on the property. Depending on the size and characteristics of the drainage you mentioned, this buffer may be applicable. These would be delineated on the Erosion and Sedimentation Pollution Control Plan developed for the site and submitted to Lamar County and the [REDACTED] Soil and Water Conservation Commission for review and approval before the issuance of a permit and the start of work.

-Land disturbance is restricted to 50 disturbed acres at any one time during construction. This is not a restriction on the total disturbance allowed by the development. It only limits activity that is simultaneously disturbed during the [REDACTED]

-a [REDACTED] can request to disturb over 50 acres at one time if a request is made to EPD and suitable [REDACTED] is given. A hypothetical example of this might be a solar farm or a large distribution facility that would have to disturb over 50 acres to incorporate the layout of the building or the installation of a large array.

-The development would be responsible for implementing best management practices (BMPs) to control erosion and sedimentation (E&S) during the [REDACTED] Prior E&S plan approval and routine inspections by the local building department are designed to ensure that the site is implementing these BMPs and maintaining them during the construction.

If the [REDACTED] commences, Anita Buice with Lamar County would be the initial point of contact for any complaints concerning erosion and sedimentation. My office can also accept complaints involving E&S issues and [REDACTED] referrals to the county or [REDACTED] inspections, in some cases, for further [REDACTED]

While we are limited in our authority to regulate some of your concerns, I encourage you to contact the county and/or EPD if you notice E&S issues going [REDACTED] My contact info is below and the Water Team Manager and Specialist in this office are copied above.

Thank you,

██████████

Construction Behind [REDACTED]

Private & Confidential

In [REDACTED] to the 100 acre parcel behind our property at [REDACTED]

Persuant to Lamar County code Sec. 2-7-35b, "No person shall conduct any land disturbing activity within the [REDACTED] boundaries of lamar county without first obtaining a permit... ."

Exemptions to this rule as defined in section 2-7-33, are not applicable to any of the activities being conducted.

The penalties for violating section 2-7-35b are as defined in section 2-7-37.

- A. Revocation of business license, work permit, or any authorization to conduct business with the county.
- B. Stop work [REDACTED]
- C. Bond forfeiture.
- D. Monetary penalties.

They have been clearing land for over a month [REDACTED] to the county code without the permits to do so.

Thank you,

[REDACTED]

On Mon, Nov 13, 2023, 3:47 PM [REDACTED] Thebrand [REDACTED] wrote:

It should be under either Simmons, McDaniel, or Tyler. I doubt qpublic will have updated any change in ownership. It has taken up to a year for qpublic to update its maps.

I think it is connected to the 743 address.

On Mon, Nov 13, 2023, 3:34 PM Anita Buice [REDACTED] wrote:

Maybe I'm looking at the wrong property. Do you have the tax map and parcel number? Or perhaps an owner's name?

Anita Buice, Director

Planning and Community Development

Lamar County, [REDACTED]

[REDACTED]



From: [REDACTED] Thebrand [REDACTED]

Sent: Monday, November 13, 2023 3:29 PM

To: Anita Buice [REDACTED]

[REDACTED] Re: Construction behind [REDACTED]

The property beside us has been cleared, two lots, for sale signs, and they have already begun laying the foundation.

[REDACTED]

On Mon, Nov 13, 2023, 9:46 AM Anita Buice [REDACTED] wrote:

Yes sir, I went out myself to look. It's a driveway, albeit a really nice driveway. I don't know the future plans for this property but in [REDACTED] for them to do a subdivision they would first need to submit a preliminary survey to this office. I have not received any requests to split this property into a subdivision. If they do propose a subdivision that requires commission approval, you will receive a written notice of the date and time of the public hearing because you are an [REDACTED] land owner.

As to the land across from you, what information do you have that shows this property has been divided into small lots? As an aside, the county considers anything under 5 acres to be small lots.

Thanks!

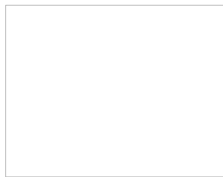
Anita

Anita Buice, Director

Planning and Community Development

Lamar County, [REDACTED]

[REDACTED]



From: [REDACTED] Thebrand [REDACTED]
Sent: [REDACTED] November 11, 2023 12:39 AM
To: Anita Buice [REDACTED]
[REDACTED] Re: Construction behind [REDACTED]

Did you not send anyone out to look at it?

I do not trespass on other people's land and I do not poach. So, I can only attest to my own empirical observations and reasoning. At first we were told it was going to be a house and a private lake. The last private lake in the area emptied the source of water for the entire farm, now our trees are dying. Then the owner changed the narrative to four houses, now he is claiming six houses. He has been clearing land for at least a month. We have listened to their work, even on [REDACTED] and can hear it from within the house. They start early in the morning.

The property across the street from us, the one I measured under instruction of a surveyor with a laser rangefinder that cleared more than they were supposed to, has subdivided the property up into small lots. What is the status of this property?

On Fri, Nov 10, 2023 at 10:45 AM Anita Buice [REDACTED] wrote:

Tell me more.....is there anything besides the width of the new driveway that makes you feel certain the plan is for a subdivision? I'm asking because typically with an actual subdivision, the owner will get approval BEFORE any work is done so that they know for sure they will be allowed to develop a subdivision. Has the owner said he is doing a subdivision? I have not received any applications for a subdivision.

Thanks,

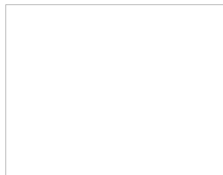
Anita

Anita Buice, Director

Planning and Community Development

Lamar County, [REDACTED]

[REDACTED]



From: [REDACTED] Thebrand [REDACTED]
Sent: Friday, November 10, 2023 10:20 AM
To: Anita Buice [REDACTED]
[REDACTED] Re: Construction behind [REDACTED]

[REDACTED] checking in on your findings and inquiring about the construction beside us. Apparently the Simmons are developing their land into a subdivision.

[REDACTED]

On Wed, Nov 8, 2023, 11:44 AM Anita Buice [REDACTED] wrote:

Ok, I'll take a look at it. Thank you for letting me know.

Anita

Anita Buice, Director

Planning and Community Development

Lamar County, [REDACTED]

[REDACTED]

From: [REDACTED] Thebrand [REDACTED]
Sent: Tuesday, November 7, 2023 8:43 PM
To: Anita Buice [REDACTED]
[REDACTED] Re: Construction behind [REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

They logged that property less than ten years ago, so unless he is selling it for pulp, the pine has not had enough time to mature for harvest. The road they used for logging then was widened by people using the land for hunting before the current owner purchased it. So, widening the road further should not be necessary to complete the logging process.

On Tue, Nov 7, 2023, 8:09 PM [REDACTED] Thebrand [REDACTED] wrote:

The logging stage has been completed for at least month. He has been excavating with bulldozers and heavy machinery since. We suspect he has encroached on our property line by a few feet, as he placed his markers several feet inside our property. The entrance to his property has widened to the size of a four lane highway.

I don't know what else to say. There is no way this is going to be a home for a guy and his kids. Which is what he told us.

On Tue, Nov 7, 2023, 3:45 PM Anita Buice [REDACTED] wrote:

Good afternoon Mr. [REDACTED]

The property located behind [REDACTED] [REDACTED] [REDACTED] W owned by a Ms. Andrews is being logged. The state of [REDACTED] has exempted logging activities from erosion permitting. A request for any other type of construction has not been received by this office. Please feel free to contact me if you have any other questions or concerns.

Thanks,

Anita

Anita Buice, Director
Planning and Community Development
Lamar County, [REDACTED]
[REDACTED]

From: [REDACTED] Thebrand [REDACTED]
Sent: Tuesday, November 7, 2023 2:07 PM
To: Anita Buice [REDACTED]
[REDACTED] Construction behind [REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

Mrs. Buice,

I need to know what type of permits have been granted to the property behind [REDACTED] [REDACTED] [REDACTED]
I also need a copy of his erosion prevention proposal if it was submitted. We are being told he is building 3-4 homes for a man and his kids. What it looks like is a massive subdivision with a three lane entrance. It is fairly apparent we are intentionally being misled. 60 acres have been flattened and excavated, and 5 gravel trucks [REDACTED] passed our house. I need a copy of the permits and erosion plan.

Sincerely,

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] w

[REDACTED] GA

[REDACTED]

Local Code Enforcement Inspections

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For the second time, I also requested a copy of the county codes, which is not available online for viewing.

On Wed, Sep 14, 2022, 3:12 PM [REDACTED] Thebrand [REDACTED] wrote:

[REDACTED] wanted to thank you for working with us. Anita called me about the results of her inspections, and stated nothing could be done about it, but there were several errors in the report. The existence of cleared land was not recognized on 734 [REDACTED] although the portion mulched was, which is difficult to understand. On 765 [REDACTED] she stated the construction had ended "a long time ago", when it was completed around May of this year. She also said the amount cleared was less than an acre, when aerial maps state it at being 1.45 acres.

The [REDACTED] property which stands behind our farm, is neither occupied nor currently in development, and as such is much further down on the list of concerns. Although, anita did state she was unable to find any access road, which is another statement [REDACTED] to grasp.

I have emailed her concerning the discrepancies in clearance sizes, and am waiting to hear back from her. I have attached the same image I [REDACTED] to her as verification of size.

[REDACTED]

Distinguishing between clearing and mulching

Private & Confidential

It is really whatever you feel is best, I hold no expectations on the matter.

On Tue, Nov 15, 2022, 9:26 AM [REDACTED] wrote:

Mr. [REDACTED]

Based on the receipt of your additional complaint, Andres and I have scheduled a [REDACTED] inspection with the LIA to evaluate the extent and nature of land disturbance. As we discussed before, it is possible that some activities may be exempted from permitting. We will follow up with any additional information.

Program Manager

West Central District, EPD

From: [REDACTED] Thebrand [REDACTED]
Sent: Sunday, November 13, 2022 3:15 PM
To: [REDACTED]
[REDACTED] Re: Distinguishing composting from clearing

CAUTION: This email originated from outside of the [REDACTED] Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks [REDACTED]

Things are good on your end, you have done all you can do.

The clearance is not within an acre, the tolerances of a laser range finder are too small to generate an error of such proportion. As long as your reference points are constant you can measure the distances and subtract to arrive at the difference, the difference will give you the specifics of clearance depth. Basics of surveying.

[REDACTED] I appreciate everything you have done for us. It has been a pleasure working with you. Best of luck in your future endeavors.

On Mon, Oct 31, 2022, 4:42 PM [REDACTED] Thebrand [REDACTED] wrote:

Thanks [REDACTED]

Yes, it was Andreas. Nice guy. I will have a look at it.

[REDACTED]

On Mon, Oct 31, 2022, 9:45 AM [REDACTED] [REDACTED] [REDACTED] wrote:

Mr. [REDACTED]

I have included a link below to our complaint tracking system public portal. All closed complaints and associated documentation can be viewed here:

[REDACTED]

The last complaint we have is Complaint ID [REDACTED] It was resolved after the Local Issuing Authority for E&S regulation, Ms. Buice, made a second site visit and provided EPD with a written response.

I am copying Andres Barrera, EPD Specialist, on this email also. You may have talked to him.

Take a look and give me or Andres a call if you have any questions. The LIA may also be able to answer any questions about their site visit.

[REDACTED] [REDACTED]

Program Manager

West Central District, EPD

[REDACTED]

From: [REDACTED] Thebrand [REDACTED]

Sent: Sunday, October 30, 2022 8:44 AM

To: [REDACTED] [REDACTED] [REDACTED]

Re: Distinguishing composting from clearing

CAUTION: This email originated from outside of the [REDACTED] Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey [REDACTED]

Checking back on this, since they are burning off the [REDACTED] brush pile this weekend. I [REDACTED] from one of your inspectors that I would be getting something in the mail, and that was a month ago. I still have yet found the time to go to the code enforcement office and talk to Anita.

Take care

[REDACTED]

On Fri, Sep 23, 2022, 3:04 PM [REDACTED] Thebrand [REDACTED] wrote:

It is difficult to see, but this is the drainage ditch cut by the county, exiting from under the road to the facing property. As you can see, construction and further clearing is occurring. More importantly the use of skid steers along this area is filling in the ditch with dirt and debris, which will prevent the runoff of water from my property, and cause it to backup onto the road and my front [REDACTED]

Sincerely,

[REDACTED] [REDACTED]

On Wed, Sep 21, 2022, 12:06 PM [REDACTED] [REDACTED] [REDACTED] wrote:

Thank you for the info.

[REDACTED] [REDACTED]

Program Manager

West Central District, EPD

[REDACTED]

From: [REDACTED] Thebrand [REDACTED]
Sent: Wednesday, September 21, 2022 11:42 AM
To: [REDACTED] [REDACTED] [REDACTED]
[REDACTED] Re: Distinguishing composting from clearing

CAUTION: This email originated from outside of the [REDACTED] Do not click links or open attachments unless you recognize the sender and know the content is safe.

It is 743 [REDACTED] [REDACTED]

[REDACTED]

On Tue, Sep 20, 2022, 8:56 AM [REDACTED] [REDACTED] [REDACTED] wrote:

Mr. [REDACTED]

Please let me know which property has additional work potentially going on. We will inquire further with the Local Issuing Authority.

Thank you,

[REDACTED]

Program Manager

West Central District, EPD

[REDACTED]

From: [REDACTED] Thebrand [REDACTED]
Sent: Sunday, September 18, 2022 1:33 PM
To: [REDACTED]
[REDACTED] Distinguishing composting from clearing

CAUTION: This email originated from outside of the [REDACTED] Do not click links or open attachments unless you recognize the sender and know the content is safe.

Anita stated the two of you got together and discussed whether mulching qualified as land clearance, and it was resolved to be something different. This weekend, the mulchings were scraped up, leaving bare soil. Does this still qualify as being distinctly different from clearing? If so, how and why?

Sincerely,

[REDACTED]





Measure distance

Click on the map to add to your path

Total area: 73,545.61 ft² (6,832.61 m²)

Total distance: 1,616.24 ft (492.63 m)

Museums

Transit

Pharmacies

ATMs



Measure distance

Click on the map to add to your path

Total area: 82,428.37 ft² (7,657.85 m²)

Total distance: 1,574.54 ft (479.92 m)



100.00 ft

1,549.46 ft

700.00 ft

1,400.00 ft

1,300.00 ft

1,200.00 ft

1,100.00 ft

Measure distance

Click on the map to add to your path

Total area: 95,551.06 ft² (8,876.98 m²)

Total distance: 1,549.46 ft (472.28 m)

In reference to Subdivisions.

Private & Confidential

I see the reference, and understand what you are saying. Although, when I first read it, I came to a different conclusion, and unfortunately the document does not provide enough clarification to rule out other possibilities than a solitary strictly interpreted conclusion. The sole defining characteristic of Minor Subdivisions is the quantity of lots, which is five or more. Where the Exempt subdivision has a quantity limitation of 4 lots or less, and although there is a size specification, the quantity of parcels in question would satisfy the amount to qualify as a minor subdivision as well. This also is not the first time the land has been subdivided into smaller lots. As the entire reason over 50% of the land came into possession by the previous owner was the result of an act of encroachment. Which occurred before the previous owner had acquired full ownership of the property. This caused the property lines of both parcels to completely be redrawn, then subdivided from one lot to two or three, and now [REDACTED] is to be subdivided [REDACTED] into six lots. It would seem that since the parcels have sporadically multiplied under the current ownership, and the only defining factor of a minor subdivision being the number of lots, then that would be prioritized over superfluous claims of exemption by area. After all, if one parcel's area is 4.9999 acres, then the development loses any possible claim to exemption. [REDACTED] of how the land is cut, six houses [REDACTED] in side by side, generates the same amount of nuisance torts, as if they were 2.5 acre lots or 1/4 acre lots. It is [REDACTED] to believe that the intent of establishing the defining characteristic of minor subdivision as a quantity of lots was solely so it could then be [REDACTED] by cutting parcels into [REDACTED] puzzle pieces, thus possessing the same [REDACTED] effects and impact on the area as a minor subdivision, [REDACTED] solely being conveniently relabeled into something different.

We tried desperately to acquire that property to make our farm profitable and allow us to sustain our lives, but a handful of two or three individuals did whatever it took to ensure we weren't given a chance. This would include brokering real estate without a license, failure to fulfill fiduciary duty, and possible mail tampering. [REDACTED] since 2020 those same individuals have done what they could to make life difficult and ruin the place we call home, and as a result we have lived in a 6 day a week, 12 hours a day, heavy construction zone for the past three years. We have been cursed out, yelled at, stalked, and harassed. However they may try to [REDACTED] their actions, it isn't right and won't ever be right. You can't [REDACTED] taking someone's home and family away from them, not even for money.

So, I apologize for being so [REDACTED] headed and difficult, but frankly I don't have anything else to fight for but my home, because it is all I have. It is a part of my family, and family is everything. I also can't stop fighting for it, and won't stop, because it would be the wrong thing to do. Anyways, I have said it. There are two parts to every law, the [REDACTED] and the intent or spirit behind the law. It doesn't make much sense, I have to live beside someone else's abomination of a subdivision because someone found a way to cheat and circumvent the [REDACTED] of it by a matter of a few feet. I [REDACTED] can't agree to that.

[REDACTED]

On Mon, Nov 27, 2023, 8:24 AM Anita Buice [REDACTED] wrote:

Good morning,

I see I have multiple emails from you, I will take your questions one at a time and address them all in this one email.

When was it subdivided and why are the online [REDACTED] reflecting this change? How are we supposed to protect our investment, when we are not informed of it? Why was this nit mentioned when I first inquired?

The property on the corner of [REDACTED] Road and [REDACTED] W (Map 038, Parcel 008) was divided into 5+ acre lots earlier this year. As stated in a previous email, this split does not require [REDACTED] approval. Any questions about how property is shown on tax maps should be addressed to the Tax Assessor's office. It was not mentioned when you first inquired because your first inquiry was concerning the property [REDACTED] to you (map 38 parcel 21).

Via [REDACTED] Number 22-06 Article 2 Section 202 of the county code of [REDACTED] for recessed lots, "The main body of the lot standing alone must be ten acres and no portion of the access area may be used in calculating the satisfaction of this requirement." Therefore, if each lot is required to possess a minimum of ten acres, then the combined total area required for six lots is sixty acres.

If all of this is true, and an exemption was granted, then how does this not violate county [REDACTED] and how is this not [REDACTED]

These lots are not recessed lots. No exemption was needed. It is not [REDACTED] They meet all county lot [REDACTED] for Agricultural/Residential lots, which [REDACTED] is a 5 acre minimum with a 300' road frontage.

There are still no building permits!

Correct. And to my knowledge, no structures are currently being built on either property discussed.

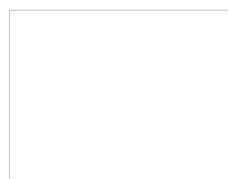
I hope this helps clarify some of your questions. If not, please feel free to continue contacting me.

Anita Buice, Director

Planning and Community Development

Lamar County, [REDACTED]

[REDACTED]



From: [REDACTED] Thebrand [REDACTED]
Sent: Monday, November 27, 2023 5:33 AM
To: Anita Buice [REDACTED]
[REDACTED] Re: In reference to minor subdivision 743

Via [REDACTED] Number 22-06 Article 2 Section 202 of the county code of [REDACTED] for recessed lots, "The main body of the lot standing alone must be ten acres and no portion of the access area may be used in calculating the satisfaction of this requirement." Therefore, if each lot is required to possess a minimum of ten acres, then the combined total area required for six lots is sixty acres.

If all of this is true, and an exemption was granted, then how does this not violate county [REDACTED] and how is this not [REDACTED]

On Wed, Nov 22, 2023, 2:55 PM [REDACTED] Thebrand [REDACTED] wrote:

There are still no building permits!

On Wed, Nov 22, 2023, 2:52 PM [REDACTED] Thebrand [REDACTED] wrote:

When was it subdivided and why are the online [REDACTED] reflecting this change? How are we supposed to protect our investment, when we are not informed of it? Why was this nit mentioned when I first inquired?

On Wed, Nov 22, 2023, 9:20 AM Anita Buice [REDACTED] wrote:

Good morning,

The property located at 743 [REDACTED] Road is not dividing their property. The unaddressed property located along the corner of [REDACTED] Road and [REDACTED] W was divided into 6 lots earlier this year. All lots are 5 acres or more and have at least 300' of road frontage so even though there are 6 lots, this is considered exempt from our subdivision regulations and does not require [REDACTED] approval.

I am unaware of any [REDACTED] activities but I will keep a watch on this site and the site [REDACTED] to you to make sure everyone is aware of the rules.

Thanks so much!

Anita

Anita Buice, Director

Planning and Community Development

Lamar County, [REDACTED]

[REDACTED]

From: [REDACTED] Thebrand [REDACTED]
Sent: Wednesday, November 22, 2023 9:03 AM
To: Anita Buice [REDACTED]
[REDACTED] In reference to minor subdivision 743

A week or so ago I inquired about the permits involved with the subdivision and current construction occurring on 743 [REDACTED] [REDACTED] Because of the current assignment of 6 numbered lots, this would make it a minor subdivision, and requires plat approval.

You informed me they had not applied for any permits. Which would be in violation of county code, and are [REDACTED] to a stop work [REDACTED] until the plans can be approved.

I am inquiring about this, because it still appears construction has not ceased.

I appreciate you ensuring these [REDACTED] activities are stopped and the code is properly enforced.

[REDACTED]

I see the reference, and understand what you are saying. Although, when I first read it, I came to a different conclusion, and unfortunately the document does not provide enough clarification to rule out other possibilities than a solitary strictly interpreted conclusion. The sole defining characteristic of Minor Subdivisions is the quantity of lots, which is five or more. Where the Exempt subdivision has a quantity limitation of 4 lots or less, and although there is a size specification, the quantity of parcels in question would satisfy the amount to qualify as a minor subdivision as well. This also is not the first time the land has been subdivided into smaller lots. As the entire reason over 50% of the land came into possession by the previous owner was the result of an act of encroachment. Which occurred before the previous owner had acquired full ownership of the property. This caused the property lines of both parcels to completely be redrawn, then subdivided from one lot to two or three, and now [REDACTED] is to be subdivided [REDACTED] into six lots. It would seem that since the parcels have sporadically multiplied under the current ownership, and the only defining factor of a minor subdivision being the number of lots, then that would be prioritized over superfluous claims of exemption by area. After all, if one parcel's area is 4.9999 acres, then the development loses any possible claim to exemption. [REDACTED] of how the land is cut, six houses [REDACTED] in side by side, generates the same amount of nuisance torts, as if they were 2.5 acre lots or 1/4 acre lots. It is [REDACTED] to believe that the intent of establishing the defining characteristic of minor subdivision as a quantity of lots was solely so it could then be [REDACTED] by cutting parcels into [REDACTED] puzzle pieces, thus possessing the same [REDACTED] effects and impact on the area as a minor subdivision, [REDACTED] solely being conveniently relabeled into something different.

We tried desperately to acquire that property to make our farm profitable and allow us to sustain our lives, but a handful of two or three individuals did whatever it took to ensure we weren't given a chance. This would include brokering real estate without a license, failure to fulfill fiduciary duty, and possible mail tampering. [REDACTED] since 2020 those same individuals have done what they could to make life difficult and ruin the place we call home, and as a result we have lived in a 6 day a week, 12 hours a day, heavy construction zone for the past three years. We have been cursed out, yelled at, stalked, and harassed. However they may try to [REDACTED] their actions, it isn't right and won't ever be right. You can't [REDACTED] taking someone's home and family away from them, not even for money.

So, I apologize for being so [REDACTED] headed and difficult, but frankly I don't have anything else to fight for but my home, because it is all I have. It is a part of my family, and family is everything. I also can't stop fighting for it, and won't stop, because it would be the wrong thing to do. Anyways, I have said it. There are two parts to every law, the [REDACTED] and the intent or spirit behind the law. It doesn't make much sense, I have to live beside someone else's abomination of a subdivision because someone found a way to cheat and circumvent the [REDACTED] of it by a matter of a few feet. I [REDACTED] can't agree to that.

[REDACTED]

On Mon, Nov 27, 2023, 8:24 AM Anita Buice [REDACTED] wrote:

Good morning,

I see I have multiple emails from you, I will take your questions one at a time and address them all in this one email.

When was it subdivided and why are the online [REDACTED] reflecting this change? How are we supposed to protect our investment, when we are not informed of it? Why was this nit mentioned when I first inquired?

The property on the corner of [REDACTED] Road and [REDACTED] W (Map 038, Parcel 008) was divided into 5+ acre lots earlier this year. As stated in a previous email, this split does not require [REDACTED] approval. Any questions about how property is shown on tax maps should be addressed to the Tax Assessor's office. It was not mentioned when you first inquired because your first inquiry was concerning the property [REDACTED] to you (map 38 parcel 21).

Via [REDACTED] Number 22-06 Article 2 Section 202 of the county code of [REDACTED] for recessed lots, "The main body of the lot standing alone must be ten acres and no portion of the access area may be used in calculating the satisfaction of this requirement." Therefore, if each lot is required to possess a minimum of ten acres, then the combined total area required for six lots is sixty acres.

If all of this is true, and an exemption was granted, then how does this not violate county [REDACTED] and how is this not [REDACTED]

These lots are not recessed lots. No exemption was needed. It is not [REDACTED] They meet all county lot [REDACTED] for Agricultural/Residential lots, which [REDACTED] is a 5 acre minimum with a 300' road frontage.

There are still no building permits!

Correct. And to my knowledge, no structures are currently being built on either property discussed.

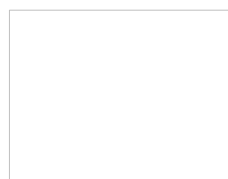
I hope this helps clarify some of your questions. If not, please feel free to continue contacting me.

Anita Buice, Director

Planning and Community Development

Lamar County, [REDACTED]

[REDACTED]



From: [REDACTED] Thebrand [REDACTED]

Sent: Monday, November 27, 2023 5:33 AM

To: Anita Buice [REDACTED]

[REDACTED] Re: In reference to minor subdivision 743

Via [REDACTED] Number 22-06 Article 2 Section 202 of the county code of [REDACTED] for recessed lots, "The main body of the lot standing alone must be ten acres and no portion of the access area may be used in calculating the satisfaction of this requirement." Therefore, if each lot is required to possess a minimum of ten acres, then the combined total area required for six lots is sixty acres.

If all of this is true, and an exemption was granted, then how does this not violate county [REDACTED] and how is this not [REDACTED]

On Wed, Nov 22, 2023, 2:55 PM [REDACTED] Thebrand [REDACTED] wrote:

There are still no building permits!

On Wed, Nov 22, 2023, 2:52 PM [REDACTED] Thebrand [REDACTED] wrote:

When was it subdivided and why are the online [REDACTED] reflecting this change? How are we supposed to protect our investment, when we are not informed of it? Why was this nit mentioned when I first inquired?

On Wed, Nov 22, 2023, 9:20 AM Anita Buice [REDACTED] wrote:

Good morning,

The property located at 743 [REDACTED] Road is not dividing their property. The unaddressed property located along the corner of [REDACTED] Road and [REDACTED] W was divided into 6 lots earlier this year. All lots are 5 acres or more and have at least 300' of road frontage so even though there are 6 lots, this is considered exempt from our subdivision regulations and does not require [REDACTED] approval.

I am unaware of any [REDACTED] activities but I will keep a watch on this site and the site [REDACTED] to you to make sure everyone is aware of the rules.

Thanks so much!

Anita

Anita Buice, Director

Planning and Community Development

Lamar County, [REDACTED]

[REDACTED]

From: [REDACTED] Thebrand [REDACTED]
Sent: Wednesday, November 22, 2023 9:03 AM
To: Anita Buice [REDACTED]
[REDACTED] In reference to minor subdivision 743

A week or so ago I inquired about the permits involved with the subdivision and current construction occurring on 743 [REDACTED] [REDACTED] Because of the current assignment of 6 numbered lots, this would make it a minor subdivision, and requires plat approval.

You informed me they had not applied for any permits. Which would be in violation of county code, and are [REDACTED] to a stop work [REDACTED] until the plans can be approved.

I am inquiring about this, because it still appears construction has not ceased.

I appreciate you ensuring these [REDACTED] activities are stopped and the code is properly enforced.

[REDACTED]

End of Document

