



Board of Commissioners

PUBLIC HEARING

A public hearing was held by the Spalding County Board of Commissioners in their office in the Courthouse Annex, Thursday, March 22, 2001 beginning at 6:00 o'clock p.m. with Commissioners, Michael Kendall, Martha McDaniel, Merrill Massengale, Johnie McDaniel and Dick Morrow present. Also present were County Manager William Wilson, Community Development Director Michael Sabine, Zoning Attorney Newton Galloway and County Clerk Phyllis Doane.

A G E N D A

A. Call to order – Chairman Massengale

B. Special Exceptions:

1. **Application #01-08S:** Ailene M. Pope, Owner – 2454 Steele Road – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Mr. Tom Ross gave his address as 101 Moreland Road and stated he was the owner of Ideal Homes of Griffin. He said that he was speaking on behalf of Ms. Pope and she plans to replace her singlewide mobile home with a new double wide home.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale Application #01-08S was unanimously approved by a vote of 5-0.

C. Rezoning:

Motion by Commissioner Johnie McDaniel and seconded by Commissioner Morrow to lift from the table Applications #01-02Z through #01-02EZ and to hear all applications jointly but vote on each application separately. Motion was unanimously approved by a vote of 5-0.

Mr. Mark McCullough gave his address as 229 Larcom Lane and stated since the last meeting he had held a workshop at his office, as requested by the Board, to address the concerns addressed at that meeting. He said that many of the residents attended this meeting and he has worked through their concerns and addressed them the best that he could. He said the main concern was traffic and he said they addressed this by not having an exit or entrance onto Futral Road and changing the cul-de-sac to an eyebrow and hopefully this will discourage anyone from trying to make an access onto Futral Road.

Mr. Ronnie Jordan gave his address as 495 Futral Road and stated Mr. McCullough did have a meeting with the residents and traffic concerns were addressed. He said they also addressed with him the concerns about the industrialism in this area and what effects it is going to have on our property and our homes. He said that they were very well aware that the industrial is moving through their community and they are still in the process of figuring out how they are going to salvage their properties and their homes. He said that it is not only the industrial traffic but also traffic increase from the new subdivision which is being built.

After discussion regarding conditions to place on these applications, the following motions were made:

1. **Application #01-02Z: Lift from the table -** Frances W. Phillips, Owner – C. Mark McCullough, Agent – 405 Futral Road (2 acres located in Land Lot 212 of the 2nd Land District – requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

Upon motion by Commissioner Massengale, seconded by Commissioner Johnie McDaniel **Application #01-02Z** was approved to a rezoning of C-1C with condition by a vote of 4-0-1 with Commissioner Morrow abstaining due to owning property in this area. The condition is “For buildings abutting, or adjacent to, the Eastern boundary of this property; generally shown as lots 25, 26, 27, 38, 39 and 40 on the concept plat and more specifically noted as 1334.09 ± linear feet of frontage to parallel to Green Valley Road; All buildings shall have a rear façade consisting of brick or masonry block (not standard cinder block). The same should apply for lots 40, 41, 42, 43 and 44 on the Northern boundary, more specifically 774.17 ± linear feet starting from the intersection of the Northern and Eastern boundaries of this proposed consolidated tract. **The Resolution will be incorporated into the minutes on second and final reading.**

2. **Application #01-02AZ: Lift from the table** - Frances W. Phillips, Owner – C. Mark McCullough, Agent – 18.222 acres on Futral Road, located in Land Lot 212 of the 2nd Land District – requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

Upon motion by Johnie McDaniel, seconded by Commissioner Massengale, **Application #01-02AZ** was approved to a rezoning of C-1C with condition by a vote of 4-0-1 with Commissioner Morrow abstaining due to owning property in this area. The condition is “For buildings abutting, or adjacent to, the Eastern boundary of this property; generally shown as lots 25, 26, 27, 38, 39 and 40 on the concept plat and more specifically noted as 1334.09 ± linear feet of frontage to parallel to Green Valley Road; All buildings shall have a rear façade consisting of brick or masonry block (not standard cinder block). The same should apply for lots 40, 41, 42, 43 and 44 on the Northern boundary, more specifically 774.17 ± linear feet starting from the intersection of the Northern and Eastern boundaries of this proposed consolidated tract. **The Resolution will be incorporated into the minutes on second and final reading.**

3. **Application #01-02BZ: Lift from the table** - Robert L. Jr. and Barbara S. Gossett, Owners – C. Mark McCullough, Agent – 5.044 acres on Hudson Road, located in Land Lot 212 of the 2nd Land District – requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

Upon motion by Commissioner Massengale, seconded by Commissioner Johnie McDaniel **Application #01-02BZ** was approved to a rezoning of C-1C with condition by a vote of 4-0-1 with Commissioner Morrow abstaining due to owning property in this area. The condition is “For buildings abutting, or adjacent to, the Eastern boundary of this property; generally shown as lots 25, 26, 27, 38, 39 and 40 on the concept plat and more specifically noted as 1334.09 ± linear feet of frontage to parallel to Green Valley Road; All buildings shall have a rear façade consisting of brick or masonry block (not standard cinder block). The same should apply for lots 40, 41, 42, 43 and 44 on the Northern boundary, more specifically 774.17 ± linear feet starting from the intersection of the Northern and Eastern boundaries of this proposed consolidated tract. **The Resolution will be incorporated into the minutes on second and final reading.**

4. **Application #01-02CZ: Lift from the table** - Bettie Z. Williams, Owner – C. Mark McCullough, Agent – 400 Green Valley Road (20.22 acres located in Land Lot 212 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

Upon motion by Commissioner Johnie McDaniel , seconded by Commissioner Massengale, **Application #01-02CZ** was approved to a rezoning of C-1C with condition by a vote of 4-0-1 with Commissioner Morrow abstaining due to owning property in this area. The condition is “For buildings abutting, or adjacent to, the Eastern boundary of this property; generally shown as lots 25, 26, 27, 38, 39 and 40 on the concept plat and more specifically noted as 1334.09 ± linear feet of frontage to parallel to Green Valley Road; All buildings shall have a rear façade consisting of brick or masonry block (not standard cinder block). The same should apply for lots 40, 41, 42, 43 and 44 on the Northern boundary, more specifically 774.17 ± linear feet starting from the intersection of the Northern and Eastern boundaries of this proposed consolidated tract. **The Resolution will be incorporated into the minutes on second and final reading.**

5. **Application #01-02DZ: Lift from the table** - Sibyl W. Glover, Owner – C. Mark McCullough, Agent – 20.222 acres on Green Valley Road, located in Land Lot 212 of the 2nd Land District – requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

*Upon motion by Commissioner Massengale, seconded by Commissioner Johnie McDaniel Application #01-02DZ was approved to a rezoning of C-1C with condition by a vote of 4-0-1 with Commissioner Morrow abstaining due to owning property in this area. The condition is “For buildings abutting, or adjacent to, the Eastern boundary of this property; generally shown as lots 25, 26, 27, 38, 39 and 40 on the concept plat and more specifically noted as 1334.09 ± linear feet of frontage to parallel to Green Valley Road; All buildings shall have a rear façade consisting of brick or masonry block (not standard cinder block). The same should apply for lots 40, 41, 42, 43 and 44 on the Northern boundary, more specifically 774.17 ± linear feet starting from the intersection of the Northern and Eastern boundaries of this proposed consolidated tract. **The Resolution will be incorporated into the minutes on second and final reading.***

6. **Application #01-02EZ: Lift from the table** - Robert L. Jr. and Barbara S. Gossett, Owners – C. Mark McCullough, Agent – 4.473 acres on Hudson Road, located in Land Lot 212 of the 2nd Land District – requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

*Upon motion by Commissioner Massengale, seconded by Commissioner Johnie McDaniel Application #01-02Z was approved to a rezoning of C-1C with condition by a vote of 4-0-1 with Commissioner Morrow abstaining due to owning property in this area. The condition is “For buildings abutting, or adjacent to, the Eastern boundary of this property; generally shown as lots 25, 26, 27, 38, 39 and 40 on the concept plat and more specifically noted as 1334.09 ± linear feet of frontage to parallel to Green Valley Road; All buildings shall have a rear façade consisting of brick or masonry block (not standard cinder block). The same should apply for lots 40, 41, 42, 43 and 44 on the Northern boundary, more specifically 774.17 ± linear feet starting from the intersection of the Northern and Eastern boundaries of this proposed consolidated tract. **The Resolution will be incorporated into the minutes on second and final reading.***

7. **Application #01-04Z:** MRD, LLC, Owner – D & N Construction, Agent – 20.23 acres on Arthur K. Bolton Parkway, located in Land Lot 80 of the 3rd Land District – requesting a rezoning from AR-1, Agricultural and Residential and R-2, Single Family Residential, to C-1, Highway Commercial.

The applicant was not present; therefore Commissioner Martha McDaniel made motion to table. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 5-0.

8. **Application #01-05Z:** High Top Holdings, Inc, Owner – 4.3 acres on Old Atlanta Road, located in Land Lot 126 of the 3rd Land District – requesting a rezoning from AR-1, Agricultural and Residential, to C-1C, Manufacturing - Light.

Mr. Mike Jackson gave his address as 14 Highland Park, McDonough, GA and spoke on behalf of his application. This property would be developed into office/warehouse/retail space. There was discussion regarding more than one principle use on this piece of property, commercial and residential and the code prohibits this. Mr. Jackson stated that he had applied for a variance and it would be heard on April 12th. Commissioner Johnie McDaniel stated that we should be careful leaving this open ended and condition a time for the residential use to be eliminated.

Zoning Attorney Newton Galloway commented that the timing is everything on this rezoning. He said when they go to develop the commercial use on the property, that is when the legal problem arises of having two (2) principle uses. He said until such time Mr. Jackson goes to develop the commercial property, he doesn't see the legal need for a variance.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale **Application #01-05Z** was approved by a vote of 3-2 with Commissioners Johnie McDaniel and Martha McDaniel voting against the motion. **The Resolution will be incorporated into the minutes on second and final reading.**

Application #01-04Z: MRD, LLC, Owner – D & N Construction, Agent – 20.23 acres on Arthur K. Bolton Parkway, located in Land Lot 80 of the 3rd Land District – requesting a rezoning from AR-1, Agricultural and Residential and R-2, Single Family Residential, to C-1, Highway Commercial.

The applicant came in and motion was made by Commissioner Martha McDaniel to lift **Application #01 04Z** from the table. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 5-0.

Mr. David L. Nix gave his address as 849 Highway 18 West, Zebulon, GA and stated he was wanting this property rezoned to move his construction office down from Atlanta, GA. This would be an office park with an adjacent gas station/min-mart. Two types of building are proposed within the office park; two-story office buildings and single-story office/warehouse buildings. He plans to construct a driveway from Tomochichi Road on the northern boundary of the site to access Phase I of the project- a single office/warehouse building for use by D& N Construction. As the other phases of the project and the access road are completed, this northern driveway could be permanently closed, or utilized as a “rear” entrance primarily for truck access to the loading areas behind the office/warehouse buildings.

Commissioner Martha McDaniel commented that she was disturbed about the gas station and convenience store that he is planning to construct. She said it was her understanding that the principle use would be his construction office and later down the road consider a service station and convenience store. She said that the Board would like to see on the AKB Parkway is traffic flowing smoothly along, not like it is on Highway 19/41. She said in the AKB overlay district we don’t want to get ourselves into a trap where we really don’t want to go.

Motion made by Commissioner Martha McDaniel to approve **Application #01-04Z** with no gas station and convenience store permitted conditioned as stated below. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 5-0. ***The Resolution will be incorporated into the minutes on second and final reading.***

- (a) Development is restricted to that development shown on the site plan submitted with this rezoning application. Any changes to the plan must follow procedures set forth in Section 2205(F).
- (b) Proposed landscaping is subject to compliance with Appendix K of the Spalding County UDO.
- (c) Any structures visible from AKB Parkway shall be developed with three (3) sides constructed with masonry (sides visible from AKB). Other structures not visible from AKB shall have a masonry façade with the remaining sides constructed as noted in Section 2208:M.
- (d) Once an access road has been constructed for access to the property along AKB, the entrance located on Tomochichi Road will be closed, except for use as a controlled access service drive (with a gate and a lock).
- (e) Have the developer participation as mutually agreed on by Spalding County, Georgia DOT and the developer, for the access road.

D. Text Amendments:

- 1. **Amendment to UDO #A-01-02:** Appendix J. Commercial/Industrial Development Ordinance – Article 4. General Procedures – add provisions in Section 404, 405 and 410.

Community Development Director Michael Sabine commented that Planning & Zoning Board put a period in of one year and the City of Griffin has recently gone to two years and he recommended that this be changed to two years.

*Motion made by Commissioner Morrow to approve UDO #A-01-02 with change of deleting one year and replacing with two years in Article 4: General Procedures, Section 404- H and also Article 4. General Procedures, Section 410- C. Commissioner Martha McDaniel seconded the motion and motion was unanimously approved by a vote of 5-0. **The Resolution will be incorporated into the minutes on second and final reading.***

- 2. **Amendment to UDO #A-01-05:** Article 18. PRRRD Planned Residential and Recreational Resort Development – Section 1803:A(8 & 9) – delete skeet ranges and sporting clays from permitted uses.

Community Development Director Michael Sabine stated that Planning & Zoning Board had not discharged this amendment. *Motion made by Commissioner Martha McDaniel, to table Amendment to UD0 #A-01-05 with direction to Planning & Zoning Board to keep it tabled indefinitely. Commissioner Morrow seconded the motion and motion was unanimously approved.*

E. Other Business:

F. Adjournment.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the meeting was unanimously adjourned.

County Clerk

Chairman

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