



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, June 28, 2001 beginning at 6:00 o'clock p.m. with Commissioners, Michael Kendall, Merrill Massengale, Johnie McDaniel and Dick Morrow present. Commissioner Martha McDaniel was absent. 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 #01-19S:** Michael Warren Sims, Owner – Elaine Worley, Agent – 92 Teamon Circle – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Ms. Elaine Worley, Agent, gave her address as 114 Young Road, Milner GA. She said that the Board of Zoning Appeals approved the Special Exception and asked the Board to approve application also. She said that the area consisted of mostly modular homes.

Mr. Tom Ross, owner of Ideal Homes of Griffin, gave his address as 101 Moreland Road and stated he was present in support of this application. He said that they were supplying a new doublewide manufactured home.

Mr. Willie Joe Watson gave his address as 276 Hosannah Road and stated he just had some questions regarding this application. He wanted to know what was going to be placed on this piece of land. Mr. Ross described the manufactured home to Mr. Watson.

There was no one signed up to speak against this application.

*Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Morrow Application #01-19S was unanimously approved by a vote of 4-0.*

- 2. Application #01-21S:** Walter H. Crenshaw, Owner – 1121 Elder Road – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

There was no one signed up to speak for or against this application.

*Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Massengale Application #01-21S was unanimously approved by a vote of 4-0.*

- 3. Application #01-23S:** Howard L. and Brenda F. Wilson, Owners – 355 Tomochichi Road – requesting a Special Exception to allow an additional home on property due to hardship.

Mr. Howard Wilson gave his address as 355 Tomochichi Road and addressed his reason for the hardship. He said that his 78-year-old mother-in-law has never driven a car in her life and is totally dependent on him and his wife. He said that she was approved for a modular home in Byron and they would like to place the mobile home on their property. He said that she had never owned any kind of home in her entire life. Her payments would be small enough that she could afford. He said that he understands that the mobile home would have to be removed from the property when she deceased and he had no objections to that. Mr. Wilson stated that he had ten (10) acres.

The recommendation from the Board of Zoning Appeals was to deny this application because it is a non-conforming use and the Board had some questions for Mr. Wilson.

Commissioner Morrow asked zoning staff if there was anything in the ordinance that would keep this temporary and when it would have to be removed.

Community Development Director Michael Sabine stated that we do not have a means in place to monitor this. We normally operate on a complaint basis. Mr. Sabine stated that the Appeals Board had a problem because there were two (2) dwellings on the property and felt that they had other means available to accommodate the use.

The only opposition was a letter from Mr. James C. Morton, Jr., 357 Peachtree St., Apt. 2D, Baxley, GA and he stated that he owned eight (8) acres adjacent to the property and understood no mobile homes or multi-family dwellings were supposed to be allowed on this parcel of land. He also felt that the value of his property would be diminished further by another structure, especially a trailer. He said that the view from the road is very important for the selling of any property.

*Upon motion by Commissioner Massengale, seconded by Commissioner Morrow Application #01-23S was unanimously approved by a vote of 4-0.*

- 4. Application #01-24S:** Paul and Laural J. Ciuffetelli, Owners – Horton Homes, Agent – 853 New Salem Road – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Mr. Paul Ciuffetelli, owner, gave his address as 35 New Salem Road. Mr. Ciuffetelli stated that this mobile home would be our family residence. It will be placed on a 2-acre tract of land and the Board of Zoning Appeals has approved our application.

There was no one signed up to speak against this application.

*Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Massengale Application #01-24S was unanimously approved by a vote of 4-0.*

#### **C. Rezoning:**

- 1. Application #01-11Z:** Jim and Marshall Woodall, Owner – 42 Wood Road (0.873 acres located in Land Lot 107 of the 3<sup>rd</sup> Land District) – requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Mr. Marshall Woodall, Owner, gave his address 740 Ethridge Mill Road, Milner, GA. He said that he and Jim were requesting this rezoning for the purpose of construction and sales of storage buildings. He said that it was approved by Planning & Zoning Board and asked for the Board to also approve their application. It was noted that Planning & Zoning Board approved with condition of a 15-foot setback delineated on the site plan rather than a 25-foot buffer due to the size of lot and the location of the present house.

*Motion made by Commissioner Morrow to approve Application #01-11Z with the provision that there be a 15 ft. buffer as recommended by Planning & Zoning Board. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 4-0. The Resolution will be incorporated into the minutes on second and final reading.*

#### **D. Other Business:**

Zoning Attorney Newton Galloway addressed the Board on an item that is going to be on the agenda for Friday, which is the S-3, Groundwater Recharge Ordinance-Overlay District and S-4, Wetlands Protection District Ordinance. Mr. Galloway stated that those ordinances had been drafted from the

information that McIntosh Trail had given us, which was the former version of the ordinance and the Board of Commissioners had approved and sent to Department of Community Affairs for their approval. He said that Department of Community Affairs had sent them back to us requiring substantial modifications as there was a later version that DCA required. He said the ordinances were redrafted and were sent directly to DCA for approval before they came back to this Board. He said that they came back this week and are on your agenda for approval at first reading tomorrow. He said that we are required to adopt the S-3 and S-4 in order to maintain your Qualified Local Government (QLG) status. He said after you adopt these on first reading they have to go back to DCA for approval before you adopt on second and final reading.

**E. Adjournment.**

*Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel the meeting was unanimously adjourned.*

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County Clerk

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Chairman

Please send comments to [webmaster@spaldingcounty.com](mailto:webmaster@spaldingcounty.com)

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