



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, July 26, 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 Community Development Director Michael Sabine, Zoning Attorney Newton Galloway and County Clerk Phyllis Doane. Also present was Planner Jennifer Peterson. County Manager William Wilson was absent.

**A G E N D A**

**A. Call to order – Chairman Massengale**

**B. Special Exceptions:**

1. **Application #01-25S:** Richard R. and Helen J. Peterson, Owners – Ideal Homes of Griffin, Agent – 225 Ginny Lane – 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 Martha McDaniel, seconded by Commissioner Morrow Application #01-25S was unanimously approved by a vote of 5-0.*

2. **Application #01-26S:** Fredrick W. and Elaine D. Eckhardt, Owners – Field of Dreams, Agent – 458 Mangham Road – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Mr. Fred Eckhardt gave his address as 1250 Trailwood Drive, Watkinsville, GA and spoke on behalf of this application. He said that they had leased this property to Tim and Deborah Druce for eleven (11) years and they want to purchase and upgrade their mobile home and also at the same time purchase the lot from us.

*Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel Application #01-26S was unanimously approved by a vote of 5-0.*

3. **Application #01-28S:** WinShape Centre, Inc., Owner – Barnard & Associates Remodeling, Inc., Agent – 14924 Wildwood Road – requesting a Special Exception to allow a Group Home in the AR-1 District.

Those signed up to speak in favor of this application were as follows:

Mr. Dennis Scott gave his address as 1779 Teamon Road and stated he is the 2001 President of the Southside Riders Association, which is a non-profit organization dealing with needy children in our area and was present to speak in favor of this application in North Spalding County. He said that the Winshape Centre home proposed for the Joe Harrell site is no different than a house constructed for any other large American family. This home will consist of a Father, Mother, Son(s), Daughter(s), not biological families but families with love, respect, values and hope. He said that he has personally met over 20 of the Winshape children and was impressed with their attitude, manners, and behavior. He said that there has been talk with this kind of home that property values would plummet but after viewing the Harrell property and the neighboring property, he feels that this home will add value to the community. He said that if the zoning is denied that the WinShape Centre has the option to plan construction elsewhere and liquidate this property in whatever method they can to finance another location. This leaves the field open wide for subdividing with the addition of approximately 300 homes in North Spalding County. He presented each of the Commissioners a packet with supporting documents.

Ms. Pat Pryor gave her address as 96 Holly Lane and stated she works for the Spalding County Department of Family and Children Services and was speaking on behalf of the agency to state their support of this home for foster children. She said that she did not know Mr. Truett Cathy personally but did know a lot of children that have benefited from his homes and the Winshape Foundation. She passed out a colored flyer of all the Winshape Homes and stated she had personally toured the two (2) foster homes at The Rock Ranch. She said that DFCS holds custody of 167 children and some are in group homes and some of them in foster homes. There are 92 in family foster homes; only 48 of these are in Spalding County. She said that she believes an association with Truett Cathy and the Winshape Homes would be beneficial to our county.

Mr. Joseph W. Harrell gave his address as 408 Dogwood Place and read part of Mr. Cathy's letter about the purposes and accomplishments of Winshape Centre. The part he read is as follows:

"I assure you these homes will be a credit to your community. Win Shape Homes has a history of ministering to children for over 17 years. We have over ten homes in seven different counties and are a vital part of each community that our children live in. The children we select do not have any severe behavioral problems but are victims of circumstances. We endeavor to accomplish a natural home setting with full-time parents to be the role models these children deserve and desire. Every home will be supported by Chick-fil-A, Inc. and will be afforded every opportunity available, such as two weeks vacation in Florida, two weeks at Camp WinShape, sporting and musical equipment, braces and eyeglasses, and any other physical or emotional needs the child might have.

WinShape presently has 115 children in eleven homes, ages 6-18, boys and girls most of them being a part of a sibling group. Our house parents have over 54 years of service in childcare with half of our parents having over ten years with us. This gives the children a sense of stability and structure. Most of our children are long-term and are encouraged to attend college or technical school. In 2000, five of our high school graduates attended college."

Mr. Harrell then introduced the foster Mother and Father of the five children that now lives on his property, Leslie and Paul Hitchcock.

Commissioner Morrow stated to the audience that didn't know that Mr. and Mrs. Harrell's generosity is where this farm came from and the house and they are to be commended for their generosity.

Ms. Tyra Bethea gave her address as 5200 Buffington Road, Atlanta GA and stated that she works for the home office of Chick-Fil-A. She said that she was sent personally by Mr. Cathy, who could not be present tonight as his wife is in the hospital, and he sends his support for this project. She said that her job is to select the children that go into the homes and assured the Board that she would pick some good ones.

Ms. Beth Bowman gave her address as 5200 Buffington Road, Atlanta, GA and stated that she was a human professional for Winshape Homes and said that she was in favor of this home.

Mrs. Leslie Hitchcock gave her address as 14924 Wildwood Road and stated she was in favor of the home being built. She said that she is a product of one of the homes that was built at The Rock Ranch as she lived there for five (5) years.

Mr. Paul Hitchcock gave his address as 14924 Wildwood Road. He stated that he met his wife Leslie at The Rock Ranch home and has been involved in Winshape for seven (7) years, doing release parenting. Mr. Cathy contacted him and his wife when the Harrell's generously donated this property and asked if they would like to live in this home in Griffin. He introduced us to some children who were in a bad situation and they live with us now. They have really accomplished a lot since coming to live with us. He said that he knows this is a tremendous benefit for any community involved.

Mr. Robert B. Hardy gave his address as 285 Moore Road and lives in the community where this home would be. He said that he was in favor of this home. He said that he has a soft spot in his heart for foster children.

Chairman Massengale stated that a letter of opposition had been turned in to him prior to the start of the meeting from Robin Brown and he requested that this letter be part of the record. The letter is as follows:

"My name is Robin Brown. I live at 1273 Moore Road, located behind the property in discussion.

I appreciate the Commissioner's time in hearing my prayer for opposing the approval of this special exception request.

I strongly oppose this special exception request based on safety and health and the fact that this would violate the Spalding County Appendix IV Zoning, Article 4, Section 413.

At the Board of Appeals hearing, the issue of safety was discussed concerning electric fences in use by us, the horse owners adjacent to this property and the fact that there is a pond on my property that would be easier to access than the one on their property. The solution was to put up an additional tree line figuring out of sight - out of mind. I do not feel this would eliminate the safety problem for the kids nor the horses. Kids will be kids and the age range of 6-18 years old, especially coming from families where they are "victims of circumstances", would not let a tree line stop them from investigating the neighboring properties.

WinShape's ratio of supervision is 2 adults to 12 kids. Most parents have difficulty controlling 2-3 kids. How do they plan to control 10-15? I would like to know if they are planning to have 10-15 kids between both houses or 10-15 kids per house for a total of 20-30 kids.

To my knowledge, there is no county sewage in this area. How do they propose to handle this situation with 20-30 kids, bathing and clothes washing? We are already under water restrictions, how can you justify the additional usage that would be required for a development of this size? Wouldn't this cause an environmental impact?

Changing the zoning and permitting a different land use from the Spalding County Master Plan that was envisioned by us when we purchased our homes has a negative impact on our quality of life and an impact on the value and desirability of our homes and property. As stated in Spalding County Appendix IV Zoning, Article 4, Section 413, Special Exceptions: "It must not be detrimental to the use or development of adjacent properties or to the general neighborhood; it must not adversely affect health or safety of residents or workers; it must not be that any POSSIBLE depreciating effects and damages to the neighboring properties are greater than the benefits or need for the special exception; and it must not adversely affect existing uses, and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements for the use.

I've contacted a realtor and they stated this would have a decreasing and detracting affect on the adjacent property values because this is considered a multi-family housing development regardless of what you call it and it would have to be divulged to any prospective buyers that this is in operation. They also stated that the fact it would house children 6-18 years of age would have a major negative impact versus a retirement home. The lighting and parking lots that would be required would also impact the area as well as the noise level.

WinShape already stated they have future plans to expand since they have sub-divided the land into 5-acre tracts. If this exception is passed, violating the county Appendix IV Zoning, I would like for their future plans and time lines to be a part of the records concerning this request.

I strongly oppose this request based on:

a. The fact that it violates the county master plan and puts an enormous potential "commercial" multi-family housing development in an agriculture/residentially zoned area.

b. It impacts our property values negatively.

c. It impacts our quality of life in regards to aesthetics, noise and sound levels, and poses a safety problem for the potential children that may come in this area.

This is not an appropriate area for this type of development. Winshape has other property (more than 1,000 acres) that is already zoned for this type of development. There are other areas in the county where current zoning could accommodate this type of development. Why can't they expand in those areas? What would be the benefit to this community? Their home in Wadley, AL, is exempt from all state, county, and municipal sales and use taxes. Is this the case for the homes in GA? Are the children currently in the Harrell House from the Spalding County system?

I pray that the Board of Commissioners would deny the request based on the issues and concerns given that negatively impact the surrounding landowners to include possible vandalism, crimes, loss of property value, loss of privacy, property trespassing, injury or death liability and loss of property marketability.

I ask that these notes be added as part of the meeting minutes.

Thank you for your time and consideration and may God bless you with the wisdom to do what is right.”

*With no further discussion or comments, motion made by Commissioner Martha McDaniel to approve **Application #01-28S** conditioned upon the approval of the text amendment and also the 25 ft. buffer adjoining the properties along Moore Road with Leyland Cypress. Commissioner Johnie McDaniel seconded the motion and motion was unanimously approved by a vote of 5-0.*

**C. Text Amendments:**

1. **Amendment to UDO #A-01-12:** Article 5. AR-1 Agricultural and Residential – Section B: Special Exceptions uses – add provision for group home; and Article 2. Definitions of Terms Used – add definition of group home.

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

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow **UDO-#A-01-12** was unanimously approved by a vote of 5-0. **The Resolution will be incorporated into the minutes on second and final reading.***

*Commissioner Kendall left the meeting at this time.*

**D. Rezonings:**

1. **Application #01-12Z:** Melvin Robinson, Owner – 1511 Vaughn Road (0.434 acres located in Land Lot 46 of the 4<sup>th</sup> Land District) – requesting a rezoning from C-1B, Heavy Commercial - Conditional, to C-1, Highway Commercial.

Mr. Melvin Robinson was signed up to speak but did not need to.

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel **Application #01-12Z** was unanimously approved by a vote of 4-0. **The Resolution will be incorporated into the minutes on second and final reading.***

**E. Other Business:**

Chairman Massengale asked the Board if they had any problem with him writing a letter to Mr. Truett Cathy with Joe Harrell a copy on behalf of the Board of Commissioners and the people of Spalding County. The Board had no problem with his request.

**F. Adjournment.**

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow 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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