



PUBLIC HEARING

A public hearing was held by the Spalding County Board of Commissioners in their office in the Courthouse Annex, Thursday, September 27, 2001 beginning at 6:00 o'clock p.m. with Commissioners, Michael Kendall, Martha McDaniel, Johnie McDaniel and Dick Morrow present. Chairman Massengale was absent. Also present were County Manager William Wilson, Assistant County Manager Michael Sabine, Planner Jennifer Peterson, Zoning Attorney Newton Galloway and County Clerk Phyllis Doane.

A M E N D E D A G E N D A

A. Call to order – Vice Chairman Johnie McDaniel

B. Special Exceptions:

1. **Application #01-34S:** Katie S. Goss, Owner – Galaxy Homes, Agent – Parham Road (2 acres located in Land Lot 80 of the 3rd Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Mr. Eddie Goss gave his address as 105 Parham Road. He said this is for some relative of ours are facing some very difficult medical problems and it would be in their best interest for them to be near us for us to be able to take care of them. He said that he has talked to everyone he could contact especially on Parham Road and has found no objections to the placement of this manufactured home.

The Board of Zoning Appeals recommended denial of this application because the standard one-half mile search ring radius was overwhelming conventional homes (75%); however, when you look at the immediate area surrounding the proposed site, they are manufactured homes and this would be an appropriate reason to approve.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Application #01-34S was unanimously approved by a vote of 4-0.

2. **Application #01-35S:** Randolph Vaughn, Owner – Gary Gierhart, Agent –102 Vaughn Circle (2.20 acres located in Land Lot 74 of the 2nd Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Mr. Gary Gierhart gave his address as 780 Hunter Ridge Drive, Jonesboro, GA and stated he would be retiring in about four (4) years and wished to put a mobile home on the property he has purchased from Mr. Vaughn.

It was noted that the Board of Zoning Appeals approved this application by a vote of 6-0. The neighborhood is almost all manufactured homes.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel Application #01-35S was unanimously approved by a vote of 4-0.

3. **Application #01-36S:** Hall and Son, L.L.C., Owner – Ideal Homes of Griffin, Agent – Lot 41 South Stewart Lane (1.02± acres located in Land Lot 54 of the 3rd Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Mr. Tom Ross, Ideal Homes of Griffin, gave his address as 101 Moreland Road and addressed this application. He said that Mr. John Peters wishes to purchase this land and home from them and place a new manufactured home on this property. He said this is in Runaway Lakes, which is almost exclusively manufactured homes. He said Board of Zoning Appeals approved this application.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Application #01-36S was unanimously approved by a vote of 4-0.

4. **Application #01-37S:** Terrell L. McKneely, Owner – Ideal Homes of Griffin, Agent – 1430 Jackson Road (4 acres located in Land Lot 193 of the 3rd Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Mr. Tom Ross, Ideal Homes of Griffin, gave his address as 101 Moreland Road and stated that Mr. McKneely was replacing an existing single wide with a doublewide manufactured home. This is conducive with the area and was approved by the Board of Zoning Appeals.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel Application #01-37S was unanimously approved by a vote of 4-0.

5. **Application #01-38S:** Carol D. Bishop, Owner – 242 Valley Hill Road (4.62 acres located in Land Lot 142 of the 4th Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Ms. Carol D. Bishop gave her address as 242 Valley Hill Road and stated that she was requesting to replace an existing thirty-one year old mobile home with a new doublewide manufactured home. She said that the mobile home has been in this location for 21 years.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Application # 01-38S was unanimously approved by a vote of 4-0.

6. **Application #01-40S:** First Assembly of God of Griffin, Owner – Southeastern Commercial Builders, Agent – 200 W. McIntosh Road (92 acres located in Land Lot(s) 66, 67, 94 & 95 of the 3rd Land District) – requesting a Special Exception to allow maximum building height of 60 feet.

Rev. Randy Valimont, Pastor of First Assembly of God of Griffin, gave his address as 1620 Beville Drive and stated they were requesting a variance so that the height of the building can be at this level of 60 feet.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel Application #01-40S was unanimously approved by a vote of 4-0.

C. Rezoning:

1. **Application #01-15Z:** MRC Development, Inc., Owner – Omni Consulting Services, Agent – 1519 Zebulon Road – requesting a rezoning from R-1, Single Family Residential Low Density and C-1, Highway Commercial, to R-1, Single Family Residential Low Density, C-1, Highway Commercial, and C-1A, Neighborhood Commercial.

Mr. Tom Hardy, Omni Consulting Services, gave his address as 665 74 S, Peachtree City, GA and stated that they would like to bring in 22 residential lots for a total of 29 acres of residential and 1.18 acres of C-1 Zoning and 1.13 acres of C-1A Zoning. The commercial development would be along Zebulon Road and the residential development in the rear of the property. He said that there are no contracts on the property right now.

There was no one else present who wished to make comments.

*Motion made by Commissioner Martha McDaniel to approve **Rezoning Application #01-15Z** conditioned that the C-1A portion have building setbacks of the C-1 portion so that the commercial pieces would have consistent setbacks. Commissioner Morrow seconded the motion and motion with condition was unanimously approved by a vote of 4-0. **The Resolution will be incorporated into the minutes on second and final reading.***

2. **Application #01-17Z:** Jeff Treadway, Owner – Lot 6 Lakeside Drive (0.43 acre located in Land Lot 94 of the 3rd Land District) – requesting a rezoning from R-1, Single Family Low Density Residential, to R-2, Single Family Residential.

Vice Chairman McDaniel commented that Mr. Treadway could not be present be read the following letter which is to be introduced into the minutes.

September 27, 2001

Spalding County Board of Commissioners

Commissioners,

First, let me apologize for not being present at the Board Meeting. I am presently a volunteer coach with a seventh and eighth grade football team in Macon and we are playing our biggest rival tonight.

Secondly, this letter is in request to rezone lot 6 Lakeside Drive in Griffin, Georgia from R-1 to R-2. I feel that I would be able to build a house with more design, quality and curb appeal at 1,250 square feet rather than 1,500 square feet. A home with 1,500 square feet would have to have a lower roof pitch and a simpler, straight roof design to be cost effective in this area. These are some facts to support my position:

- The average house on Lakeside is 1,02 square feet
- Not one house has 1,500 square feet
- Only 5 of 24 houses have 1,250 square feet
- 12 of the 24 houses on Lakeside have less than 1,000 square feet

Furthermore, in my discussions with homeowners on Lakeside following the Zoning Board meeting, they notified me that they were happy with the house I was planning to build and would not challenge my efforts to do so. I have included some pictures of the house and a set of plans. There is also a plat with the square footage of each house on Lakeside Drive.

I respectfully ask that I be able to build a well-designed 1,250 square foot home that will greatly appreciate the values of the homes on Lakeside Drive. Thank you for your consideration in this matter.

Sincerely,

Jeff Treadway

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

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Kendall *Rezoning Application #01-17Z was unanimously approved by a vote of 4-0. The Resolution will be incorporated into the minutes on second and final reading.*

Applications #01-18Z, #01-18AZ, and #01-18CZ through #01-18RZ are being initiated by the Spalding County Planning Commission.

1. **Application #01-18Z:** Ralph Lamar & Willie Mae Johnson, Owners – Spalding County Planning Commission, Agent – 1507 N. Pineview Road (Lot 9 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
2. **Application #01-18AZ:** Willie Mae & Willie J. Gault, Owners – Spalding County Planning Commission, Agent – 1511 Pineview Road (Lot 10 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
3. **Application #01-18CZ:** Melvin & Mary Thrash, Owners – Spalding County Planning Commission, Agent – 1508 Pineview Road (Lot 16 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
4. **Application #01-18DZ:** Wallace & Betty F. Watkins, Owners – Spalding County Planning Commission, Agent – 1504 N. Pineview Road (Lot 15 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
5. **Application #01-18EZ:** Kimberly Gilbert Parker, Owners – Spalding County Planning Commission, Agent – 401 E. McIntosh Road (Lot 1 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
6. **Application #01-18FZ:** Kimberly Gilbert Parker, Owners – Spalding County Planning Commission, Agent – Lot 2 E. McIntosh Road located in Land Lot 132 of the 3rd Land District – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
7. **Application #01-18GZ:** Horace & Lillie Cleveland, Owners – Spalding County Planning Commission, Agent – 405 E. McIntosh Road (Lot 3 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
8. **Application #01-18HZ:** Frances I. S. Foster, Owners – Spalding County Planning Commission, Agent – 407 E. McIntosh Road (Lot 4 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
9. **Application #01-18IZ:** Willie C. & Clara M. Williams, Owners – Spalding County Planning Commission, Agent – 411 E. McIntosh Road (Lot 5 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.

10. **Application #01-18JZ:** David M. & Shirley Pack, Owners – Spalding County Planning Commission, Agent – 415 E. McIntosh Road (Lot 6 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
11. **Application #01-18KZ:** Gayle W. Smith & Deborah W. Bailey, Owners – Spalding County Planning Commission, Agent – Lot 7 E. McIntosh Road located in Land Lot 132 of the 3rd Land District – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
12. **Application #01-18LZ:** Walter D. & Billie W. Willis, Owners – Spalding County Planning Commission, Agent – 421 E. McIntosh Road (Lot 8 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
13. **Application #01-18MZ:** Cemetery – Spalding County Planning Commission, Agent – Parcel 12 E. McIntosh Road located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
14. **Application #01-18NZ:** Lucius Jr. & Janice Horton, Owners – Spalding County Planning Commission, Agent – 443 E. McIntosh Road (Lot 1 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
15. **Application #01-18OZ:** Lucius Jr. & Janice Horton, Owners – Spalding County Planning Commission, Agent – Lot 2 E. McIntosh Road located in Land Lot 132 of the 3rd Land District – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
16. **Application #01-18PZ:** Eddie Crawley, Jr., Owner – Spalding County Planning Commission, Agent – 445 E. McIntosh Road (Lot 3 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
17. **Application #01-18QZ:** Eddie B. Favors, Jr., Owner – Spalding County Planning Commission, Agent – 447 E. McIntosh Road (Lot 4 located in Land Lot 132 of the 3rd Land District) – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.
18. **Application #01-18RZ:** DanVest Equities, LLC, Owners – Spalding County Planning Commission, Agent – Lot 5 E. McIntosh Road located in Land Lot 132 of the 3rd Land District – requesting a rezoning from C-2, Manufacturing, to R-2, Single Family Residential.

Motion by Commissioner Martha McDaniel made a motion to consider the above applications in block, Applications #01-18Z, #01-18AZ, #01-18CZ, #01-18DZ, #01-18EZ, #01-18FZ, #01-18GZ, #01-18HZ, #01-18IZ, #01-18JZ, #01-18KZ, #01-18LZ, #01-18MZ, #01-18MZ, #01-18OZ, #01-18PZ, #01-18QZ, #01-18RZ. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 4-0.

Assistant County Manager Sabine addressed the reason these pieces of property were initiated for rezoning by the Planning Commission. He said these tracts were zoned in the early 1960's under the original zoning ordinance and placed in the C-2 district. Then you could build houses in the C-2 district; however, now these houses are non-conforming uses in their present zoning district and they do not enjoy the development that most homeowners have to make any additions or modifications to their structures. To do this they would have to apply for a variance to alter a non-conforming use. He said that the Planning Commission initiated this to take these homes, which are in the manufacturing district right now, and move them into a single-family residential classification consistent with the size of the homes out there. The property on the west side of East McIntosh has already been taken out of C-2 and this would take all the property on the east side including the vacant twenty (20) acres owned by Urban Development.

Mr. Chris Renner gave his address as 3140 Teamon Road and stated that he was speaking on all applications for rezoning. He said that he was a volunteer for the Roosevelt Railroad Museum, Inc., which is adjacent to some of this rezoning and he said that they were concerned because they are volunteers and they do clean up around the railroad trying to maintain a railroad that is a historical site. He said that they are working between Pineview Road and North Hill Street trying to preserve the railroad. He said they do not want to wake up one day and there is one hundred houses built along the railroad. He said that some people are under the impression that the railroad is abandoned but it is not. He said that he represents Mr. John Rivers who is President of the Roosevelt Road Museum as he could not be here and he handed the Commissioners a copy of his correspondence dated September 27, 2001. Mr. Rivers' letter stated, "that their mission is to preserve and restore this important part of Spalding County history. Therefore, we strongly believe that dense residential development close to the Railroad would be inadvisable. A large portion of the East McIntosh area is already commercial and light industrial in nature". Mr. Renner said that he understands that they should have three (3) feet clearance of both sides of the railroad. He said that they do not oppose any of this but just take in consideration that this is on the national register of historical sites.

Ms. Lillie Cleveland gave her address as 405 East McIntosh Road and stated she was in favor of rezoning because as is we can't do anything such as additions or modifications to our homes now. She wanted to know if the houses being built now were going to be Section 8 houses. Staff could not answer this question for her.

Ms. Shirley Pack gave her address as 415 East McIntosh Road and stated she was in favor of the rezoning of the property but asked will the rezoning have anything to do with the sewage. She wanted to know if these houses would be hooked up to the City as they were all on septic tanks. She was told that this rezoning would not have any affect on sewer.

Ms. Kimberly Parker gave her address as 401 East McIntosh Road and spoke against this rezoning. She said if we are rezoned are more houses going to be built than are already being built and what would be the square footage of the houses. She was told that anything with a R-2 classification would have to have a minimum of 1250 sq. ft. heated. She said that some of the present homes have 1750 sq. ft and wanted houses that are going to be built equal to that.

Assistant County Manager Sabine stated that when they looked at this, the bulk of the homes were consistent with the R-2 zoning. He said that if you desire to send these applications to R-4 zoning, which is 1500 sq. ft. heated minimum, you can choose to do that. Staff felt that R-2 was most compatible with the existing area taking in consideration all the homes.

Ms. Parker was concerned about the 20-acre lot that is vacant. She said that the homes being built now by Mrs. Golden were not compatible with their homes and she did not want to see any more 1250 sq. ft homes. She had a concern about the value of her property going down with all these small homes and the homes come under Section 8.

Commissioner Martha McDaniel commented that the 20-acre lot still remaining, they would have to come in and the Board could condition them on the square footage. This application of Ms. Gloria Treadway would be coming up next month and would be coming with R-2, 1250 sq. ft. minimum heated.

Ms. Parker wanted to know how many houses Ms. Treadway would be building. Assistant County Manager Sabine stated that she would probably be constructing between 17 and 18 homes. Zoning Attorney Newton Galloway stated as of now Ms. Treadway does not have a development plan. He said that the property could be developed right now for an industrial use. Mr. Galloway commented that the R-2 would certainly more compatible and less obtrusive than something being developed in the industrial zone as it is zoned now. Mr. Galloway said that Planning Commission discussed if Ms. Treadway did not come in and agree with the R-2 and left that property industrial, then we would not recommend that this rezoning go through. She had been contacted and she got back with us and confirmed that the corporation would agree for the 20 acres to be rezoned to R-2.

Ms. Parker was told that Ms. Treadway's application for development of the 20-acre lot would be coming up at the next public hearing and all the property owners would be notified of the meeting. Ms. Treadway is plainly on the presumption that R-2 is what the zoning classification is going to be.

Commissioner Kendall commented that if people are objecting to R-2 zoning and Ms. Treadway is under the impression that the rezoning went through to R-2, then we probably need to table all these applications until the public hearing of Ms. Treadway's application to see how she is planning to develop her property.

Mr. Wilbur Bailey gave his address as 443 E. Northwood Drive and stated he was concerned about the water run-off. He said that when you cut all those trees down, the water is going to run back down into his yard. He was in favor of leaving the zoning as it is or if it has to be rezoned, to R-4. He said that he feels if they are going to build houses, we should have the right to decide what type houses they are going to build. He said they need to leave the greenspace and let them enjoy.

Mr. Lucius Horton gave his address as 443 E. McIntosh Road and stated he wanted to add a room in front of his house and was told he could not do this. He said that he was against rezoning the properties.

Ms. Patricia Willis gave her address as 441 E. Northwood Drive and stated her concerns about the rezoning giving reasons of compatibility with the present houses, density, increased traffic flow and overcrowding of school district. She said since they have added the new subdivision on Pineview you see a lot of trash that we normally did not have in our subdivision. She feels that it should be changed to R-4 zoning.

Commissioner Morrow commented that this was set up, he thought, to help these people and get them out of industrial zone to protect them; however, if they want an R-2 or R-4 they need to tell us or if they want to stay in C-2.

*Commissioner Morrow made a motion to table this block of applications until the next public hearing, which is October 25th at 6:00 P.M. when Ms. Treadway's application would be heard and it can all be discussed together. Commissioner Martha McDaniel seconded the motion and motion was unanimously approved by a vote of 4-0. **Planning Office has notified staff that Ms. Treadway's application would***

not be heard until the November 29th public hearing and they are to notify all the property owners affected by this rezoning.

Commissioner Kendall left the meeting at this time as he had a previous obligation.

D. Text Amendments:

1. **Amendment to UDO #A-01-14:** Appendix A. Subdivision Ordinance – add Article 7. Conservation Subdivisions.

County Manager Wilson commented that given the fact that this was just presented to the Board tonight and given the fact that no prior review has been made by any county department including the Water Department, Public Works Department and Emergency Services Department, he recommended that they have comments from these departments before the Board adopts. The Commissioners stated that they were not prepared to vote on this tonight.

Zoning Attorney Newton Galloway discussed the proposed draft of the conservation subdivision ordinance. Considerable discussion followed with an understanding that further consideration would take place at the October 8th meeting.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow UDO-#A-01-14 was tabled until the October 8th Commission Meeting by a unanimous vote of 3-0.

E. Adjournment.

Upon motion Commissioner Martha McDaniel, seconded by Commissioner Morrow the meeting was unanimously adjourned at 8:26 P.M.

County Clerk

Vice-Chairman

Please send comments to webmaster@spaldingcounty.com

Copyright © 2000 Spalding County all rights reserved