



**PUBLIC HEARING**

A public hearing was held by the Spalding County Board of Commissioners in their office in the Courthouse Annex, Thursday, December 21, 2000 beginning at 6:00 o'clock p.m. with Commissioners, Martha McDaniel, Merrill Massengale, Johnie McDaniel and Earle Childres present. Chairman Kendall was absent at the beginning of the meeting but came in later. 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**

1. **Call to order – Vice Chairman Massengale called the meeting to order in the absence of Chairman Kendall.** Vice Chairman Massengale stated he was allowing anyone signed up, to speak for five minutes.

2. **Special Exceptions and Rezonings:**

**Application #00-58S:** Mattie Carroll, Owner – 2151 Hollonville 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 Martha McDaniel, seconded by Commissioner Childres **Application #00-58S** was approved by a vote of 4-0.*

**Application #00-60S:** Jerry E. Pawlak, Owner – 10-B Cain Street – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District. Mr. Jerry E. Pawlak gave his address as 10-B Cain Street, and stated he was the applicant and was requesting to replace the old mobile home with a larger mobile or modular home.

There was no one else signed up to speak on this application.

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres **Application #00-60S** was approved by a vote of 4-0.*

**Application #00-61S:** John T. Bolton and William L. Evans, Owners – DaySpring Community Church, Agent – 10.33 acres on Carver Road, located in Land Lot 88 of the 2<sup>nd</sup> Land District – requesting a Special Exception to allow a Church in the AR-1 District.

Mr. Jim Woodall gave his address as 119 Overlook Trail, Williamson, GA spoke on behalf of this application. He said that he was a member of this church and was asking to build a church on this land and was present to answer any questions. Commissioner Johnie McDaniel asked him what was the time frame for construction and Mr. Woodall answered three (3) to five (5) years.

Rev. Gene Turkett gave his address as 210 Laramie Road and stated he was the Senior Pastor of the church and concurred with Mr. Woodall's presentation.

There was no one else signed up to speak on this application.

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres **Application #00-61S** was approved by a vote of 4-0.*

**Application #00-62S:** Jesse C. Johnson, Owner – 2293 North Walkers Mill Road – requesting a Special Exception to allow a Class B or C manufactured home for temporary use due to hardship case in the AR-1 District. Ms. Nancy Johnson gave her address as 2293 North Walkers Mill Road, and stated this was for her parents to put a double wide mobile home on the back of their lot because they have serious illnesses and she has to be near to them to help take care of them.

There was no one else signed up to speak on this application.

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres Application #00-62S was approved by a vote of 4-0.*

**Application #00-63S:** John T. Mitchell, Robert N. Gilbert, Joseph B. Love, Jr., Morris Sprayberry, Jr. and Dr. Harry Calloway, Owners – Kevin M. Spell, Agent – 12 acres on North Walkers Mill Road, located in Land Lot 19 of the 2<sup>nd</sup> Land District – requesting a Special Exception to allow a general home occupation in the R-2 District.

Mr. Kevin M. Spell gave his address as 2482 Clover Court, Morrow, GA and stated he was requesting a special exception for a home occupation. Mr. Spell stated that he plans to build a house and a custom woodworking shop simultaneously on this piece of property.

Commissioner Johnie McDaniel asked Mr. Spell if he was familiar with the condition in the code that says home occupation cannot exceed 25% of the combined gross floor area of the house and accessory building and if he would be able to meet this condition.

Mr. Spell commented that the house would be 2800 sq. ft. and the shop would be 3200 sq. ft., which will be 6000 sq. ft., which would allow him 1500 sq. ft. for his shop. Community Development Director Michael Sabine stated that he feels that the part that should apply to the occupation is the portion of the space that is actively used for the occupation and storage space should not be penalized. Mr. Spell intends to store his materials in this building. He asked the Board to look at this separately as for the 25% floor space.

Commissioner Childres commented that if we approve this we have got to know where this gentleman is protected.

Commissioner Martha McDaniel asked Mr. Spell if he intends to live on this property and why there are so many owners.

Mr. Spell said that these people own forty-five (45) acres and they are investors, and he does intend to live on this property. He said that he has built a 40x80 building and does intend to store his materials inside the building.

Commissioner Martha McDaniel stated until Mr. Spell could say that this meets the criteria, he should ask for a table on this application and come back and talk with the Board when he has all his figures and feels he can meet the special exception restrictions.

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres Application #00-63S was tabled until the January 25, 2001 public hearing by a vote of 4-0.*

**Application #00-64S:** Terry Vining, Owner – Sprint Com, Inc., Agent – 3138 Fayetteville Highway – requesting a Special Exception to allow a telecommunications tower in the C-1 District.

**Application #00-65S:** Sandra Lee Maddox, Owner – Sprint Com, Inc., Agent – 70.65 acres on Fayetteville Highway at Bicycle Road, located in Land Lot 110 of the 4<sup>th</sup> Land District – requesting a Special Exception to allow a telecommunications tower in the AR-1 District.

Mr. James M. Ney and stated he was with Holt Ney Zatcoff & Wasserman, Attorneys at Law and gave his address as Suite 600, 100 Galleria Parkway, Atlanta, GA. He said that he was here representing SprintCom, Inc. He asked if he could address both applications at this time.

He said on Application #00-64S, property of Mr. Terry Vining, Sprint intends to construct a 215-foot telecommunication tower to be located on this land. This will be a wireless, multi-tenant tower located in the

center of a rather large 7.38-acre of parcel. He said that there was not an existing tower or coverage for this area and showed propagation maps. He said that Sprint will use this tower and will be able to provide for two collocators. He asked that the landscaping buffer requirement be waived so that the natural trees can be left in place. He said that the Board of Zoning Appeals unanimously approved this application and there was no opposition to this application.

Mr. Bill Landrum gave his address as 366 East College Street and stated he was in favor of telecommunication towers. He said that he was having problems making phone calls and we need the towers.

*Motion made by Commissioner Martha McDaniel to approve **Application #00-64S** with the provision that the requirement for the landscaping is dropped and the buffer that currently exists be retained as closely as possible. Commissioner Childres seconded the motion and motion was approved by a vote of 4-0.*

Mr. James M. Ney addressed Application #00-65S, property of Sandra Lee Maddox. He said that Sprint intends to construct a 230 ft. tower. He said that this will be a wireless, multi-tenant tower located on raw land back a great distance and is a very wooded area. The tower will be concealed 80 to 90 ft. He said this tower will provide good coverage and there was no existing tower or coverage in this area and showed propagation maps. He said that the Board of Zoning Appeals unanimously approved this application. He said that Sprint will be the principle user on this tower and will provide use for two (2) carriers. He said SprintCom was asking that the buffer requirement be waived as this is in a thicket woods.

*Motion made by Commissioner Martha McDaniel to approve **Application #00-65S** and waive the landscaping requirement. Commissioner Johnie McDaniel seconded the motion and motion was approved by a vote of 4-0.*

**Application #00-67S:** Brian Keith and Sherry D. Anderson, Owners – Danny Stewart, Agent – Lot 14 Green Valley Road, located in Land Lot 233 of the 2<sup>nd</sup> Land District – requesting a Special Exception to allow a Church in the AR-1 District.

Ms. Anne Kocsis gave her address as 2616 Macon Road spoke in opposition of this application. She said that she had concerns between Quail Hollow and Crosscreek of trees being cut down. She said that the character of the area should be preserved. She said that she understands that the church capacity would be 400 and that this will be a large parking lot and she does not want to see this area turned into a “sea of asphalt”. She also had concerns regarding this being a metal structure.

Rev. Danny Stewart gave his address as 1703 Honeybee Creek Drive and stated he was pastor of Free Praise Worship Center. He said that the church facility will be steel structure laced in stucco. He said that the parking lot would be one hundred feet from the road and will be on four (4) acres. He said on each side of this property is two (2) mobile homes. He said that they do not intend to remove a lot of the trees to construct this church facility. He said that it will be quite some time before construction begins.

Mr. Sabine stated the Board of Zoning Appeals conditioned the application stating all four (4) sides to have stone, stucco or masonry, which the applicants agreed to do.

*Motion made by Commissioner Johnie McDaniel to approve **Application #00-67S** with the condition that the building be finished on all four (4) sides. Commissioner Childres seconded the motion and motion was approved by a vote of 4-0.*

*Vice Chairman Massengale called for a five-minute recess.*

*Vice Chairman Massengale called the meeting back to order.*

*Commissioner Kendall came to the meeting at this time.*

**Application #00-27Z:** B. D. Luke and Naomi J. Luke, Owners – David Luke c/o Steven M. Fincher, Agent – 3732 West Ellis Road – requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.

Speaking for the application were:

Mr. Steve Fincher stated he was a lawyer from Morrow, GA and spoke on behalf of the Luke family to present this petition. He said that Dr. Luke has owned this 237 acres since 1965. He said that they have divided the property into three tracts. They are proposing R-2 conditional. They are proposing 75 homes on the 237 acres, which result in a net density of three (3) acres per

home. There would be no construction on tract 3 and on tract 2 there would be no more than ten (10) homes, if that many, on large tracts. They would be the minimum of 1250 sq. ft. There would be 65 homes constructed on tract 1, which is 83 acres and would be a net density of 1.27 acres per home. He said a condition has been proposed of one-third of the homes being 1250 sq. ft., one-third of homes 1300 sq. ft. and one-third of homes 1400 sq. ft. All homes will be on a minimum of one acre lots, price range of \$120,000 and up, street lights, underground utilities, sodded front yards, curb and gutter, home accented by brick, stone or stucco and enclosed garages. Some pictures of homes from Gwinnett County of what the homes would look like were presented to the Board for review.

Staff's recommendation was to deny this application because this area is planned for low-density residential use and a more appropriate zoning classification may be AR-2 which would be more compatible. The Planning Commission also recommended denial of this application as presented.

Mr. Fincher stated that the plan that is proposed meets all the requirements that the code contains to have property rezoned. He said there are no problems suggested by staff review why this application could not be approved. He said that staff has said that this property is presently zoned AR-1 and can be developed into four (4) single-family residences. He said that he did not think that it was fair to take 237 acres and only be allowed to put four (4) single-family homes on it and he wanted to go on record that this is a constitutional challenge that the Luke family is placing on the existing zoning classification.

Mr. David Luke stated that his family has owned this property since 1965. He said he was a builder/developer and is present to present the property development.

Community Development Director Michael Sabine presented staff recommendation. He said that AR-2 requires a minimum of five (5) acres. He said to the north of the property there is AR-2 zoning and this would be more compatible with the surrounding residential uses. The bases for this denial was capacity issues, infrastructure issues such as the bridge out there, water quality issues outside of septic issues.

Vice Chairman Massengale asked Mr. Luke if they were willing to compromise some and he answered yes they were willing to compromise to some extent. Mr. Massengale asked if they were willing to do AR-2 and Mr. Luke answered they would not be able to do the type of development with AR-2.

Those speaking in opposition to this application were:

Ms. Pat Moore gave her address as 862 Moon Road and stated that her 76 acres borders this piece of property. She said they do not need another subdivision with smaller homes in a small portion. She stated she had concerns about the road being in terrible shape and does not feel like the infrastructure would hold that many more families. She asked the Board to deny this rezoning request.

Mr. Billy Moore gave his address as 862 Moon Road and stated he had concerns about water run-off problems, wetlands in a flood plain. He said that the county has been under a water ban of some kind since July and wanted to know when are we going to stop building. He said that he has a 14-acre lake, which would be approximately 600 yards from this land and would need some type of buffer to keep the people off of their property.

Mr. Philip Bedley gave his address as 105 Crabtree Road. He presented pictures of existing homes that are in this neighborhood and stated these proposed homes would not be compatible with the surrounding area as most of the owners have large acreage and large square footage. He said this subdivision would decrease their property value. He addressed septic tank problems and stated he opposed this subdivision.

Mr. Forest Barnes gave his address as 1133 Moon Road and lives approximately one-half mile from the proposed site. He said this area is rural and low density and does not feel this is the best use for this piece of property. He addressed the concerns of the road and bridge problems also. He addressed the issue of two (2) airports, north and south to the property and there will be noise

problems. He addressed septic concerns draining into Wildcat Creek and draining into the lake and running into the Flint River, which is already having problems with EPA. He said there are wetlands on this piece of property and they will not be able to develop on tracts 2 and 3. He also addressed the water shortage concerns.

Ms. Sandra Duncan gave her address as 1024 Moon Road. She said that she agreed with what has already been said tonight. She said this area of the county is beautiful and people have moved out here because they value beauty, quiet, safety and space for privacy. She said that many homes in that small of an area would overturn the balance that exist right now in this area. She said that she lives on 86 acres and has five (5) horses. She also addressed the infrastructure of the road to accommodate all these new houses. She addressed the overcrowding of schools and also the water shortage issue in Spalding County. She said that subdivisions like this can cause a high crime area. She said an option for this land would be an equestrian community on five-acre lots.

Ms. Mary Hagen gave her address as 3860 West Ellis Road and owns 56 acres. She addressed her concerns about buffers from her property as the back yard of all these houses will be in her front yard. She had concerns of density as 65 homes on 83 acres was too much. She asked that the Board deny this application for rezoning.

Mr. Mark Wallace gave his address as 5319 West McIntosh Road and stated that he owns 600 acres and lives three quarters of a mile from this development. He said that this was a unique community and to be more compatible there should be more acreage requirements with larger houses. He said that he has purchased land around him by choice to protect the land in his family. He said that he would like to see some kind of compromise to better suit the neighbors present; however if no compromise he opposed the rezoning.

Mr. Ronnie Powers gave his address as 90 Montgomery Drive and stated he was President of Cedar Ridge Airport Community and was representing twenty-five property owners. On behalf of this community he asked the Board to deny the rezoning of this property based on staff reviews. He discussed the road infrastructure. He said that hopefully there can be some compromise.

Mr. Dick Morrow gave his address as 263 Westchester Drive and stated that this proposal was not compatible with the area. He said that this is poor design, poor planning subdivision and is just not compatible with this area of Spalding County. He stated that the entire surrounding neighborhood strongly opposed the minimal development plan and Planning & Zoning Board unanimously voted against this rezoning.

Vice Chairman Massengale stated that is apparent from the people speaking tonight that they are very much against what you want to do. He asked Mr. Luke if they would compromise to AR-2, which is five-acre lots. Mr. Luke said that he did not feel that they could do this but there were compromises that could be made such as buffers and larger homes possibly, sidewalks. He said that a one-acre lot is what he feels like is a large lot for \$120,000 home. He said that just because people live in smaller homes does not mean that they are not good neighbors. It was also pointed out that there were other subdivisions on this road as well as smaller houses.

Commissioner Kendall asked Mr. Luke don't you think what you are categorically proposing will change the essential character of this whole entire area of Spalding County and you will be setting the benchmark of this area by this development. He said what you are wanting to do is totally incompatible and drastically different with this area of Spalding County.

Commissioner Johnie McDaniel commented that this is a beautiful piece of property and it's not like larger tracts and larger homes are not marketable in this area. He said that the county has got to try to find a blend as we approve zoning applications to make things either compatible or transition from one type to another and your proposal does not transition to anything and is not compatible with anything out there. He said what he sees is squeezing every lot possible out of that tract. He said that personally he sees lots of ways to develop this piece of property. He said that if you took tract 1 and tract 2 and redesigned it and you put some green space in there and some amenities in there and you put some things, even though it's low density. He said also

since you have that land at 1965 prices, this gives you much more freedom and flexibility to be creative with the property than if you bought it at year 2000 prices.

Commissioner Childres stated he knows Ellis Road like the back of his hand and he wanted to know where these subdivisions on this road were that has been referred. Mr. Luke commented Club Estates and Quail Hollow, which is two to four miles from this property.

*At this time Vice Chairman Massengale passed the gavel back to Chairman Kendall to finish this meeting.*

Mr. Luke asked for a few minutes to discuss this with his attorney.

*Chairman Kendall called for a ten-minute recess.*

*Chairman Kendall called the meeting back to order.*

Mr. Fincher requested that the Board table this rezoning application at this time to allow Mr. Luke an opportunity to go back, in fact, to review the comments he has received tonight and tender a different plan.

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale **Application #00-27Z** was tabled until the January 25, 2001 Public Hearing by a vote of 4-1 with Commissioner Childres voting against the motion.*

**Application #00-28Z:** John T. Bolton and William L. Evans, Owners – Reese Builders and Developers, Inc., Agent – 146.36 acres on Carver Road and Moreland Road, located in Land Lot 88 of the 2<sup>nd</sup> Land District – requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.

Mr. Tom Reese gave his address as 831 Steele Road, Hampton, GA. He said that he has spent a lot of time on this particular project, working with the staff and working with some personnel of the county and working with the neighbors and going through Planning and workshops and after making many compromises but things he felt comfortable making. He said that there was a lot of input and compromising that they felt was beneficial to them and for Spalding County. He said that staff recommendation and Planning recommendation is that this should come under a PD Development, which increases the square footage on the homes to 1500 sq. ft., which they agree to.

Commissioner Martha McDaniel commended Mr. Reese for giving his willingness to cooperate, not only with the Board of Commissioners and staff, but also with the neighborhood. She said obviously what you did in compromising with the people in this neighborhood that they have bought into it and feel that it will make a better neighborhood.

*Motion made by Commissioner Martha McDaniel to approve **Application #00-28Z** rezoning this piece of property to Planned Development as agreed upon with the following twenty (20) conditions that Mr. Reese agreed to as part of this Planned Development. Commissioner Johnnie McDaniel seconded the motion and motion was approved by a vote of 4-0-1 with Chairman Kendall abstaining giving reason of conflict of interest as his wife owns property in this area. **This Resolution will be incorporated into the minutes on second and final reading.***

Property shall be rezoned to Planned Development with the following conditions attached to property subject to this zoning action.

1. This property shall be used for Single-Family Residential use only, with the sole exception of any amenity areas, common areas, parks or greenspace that are created and maintained for the benefit of the community.
2. Minimum heated square footage area of homes located on this property shall be 1,500 (one thousand five hundred) square feet, with the exception of lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 258, 259, 260, 261, 262, 263, 264, and 265 which shall have single-family homes constructed upon them of not less than 1,750 (one thousand seven hundred fifty) heated square feet.

3. No more than 275 (two hundred seventy five) homes shall be constructed on the property subject to this rezoning. Lots 1, 93, 108, 109, 180, 266, 282, and 283 shall not be developed. These lots shall be reserved for parks or landscaping as part of the subdivision entryway.
4. All homes constructed shall have 8:12 minimum roof pitch, unless an architectural design approved by the developer cannot be built with an 8:12 roof pitch.
5. Subdivision shall feature a main-entry boulevard with a 50 (fifty) foot landscaped median that shall serve as a linear park.
6. Sidewalks shall be constructed on both sides of interior residential streets.
7. Streetlights shall be installed, with maintenance and operations per the provisions of the Spalding County Streetlight Ordinance.
8. All streets shall feature curb and gutter construction, with the sole exception of the linear park areas featured along the main entry boulevard.
9. All driveways shall be paved, and all homes shall have garages.
10. All homes shall have brick, stone, or masonry stucco accents on their front elevation.
11. All lots developed shall have minimum of 4 (four) trees each.
12. All lots developed shall have sodden front yards.
13. All lots developed shall be served by underground utilities.
14. All detention facilities shall be landscaped.
15. A Property Owners Association (commonly known as a Homeowners Association or HOA) shall be serve the subdivision. Membership in the POA (HOA) shall be mandatory for all property holders in said subdivision.
16. Entire tract shall be buffered on the west and north sides by a combination of a landscaped buffer and/or berm. Where possible, developer agrees to create landscaped berms.
17. An amenity area shall be created to serve members of the POA (HOA).
18. Developer shall dedicate an easement of not less than 10 (ten) feet in width for public access from the subdivision to adjacent property owned by the Griffin-Spalding County Board of Education.
19. A Master Plan, as defined in Section 1704(B) of the Zoning Ordinance of Spalding County, shall be submitted for review. Master Plan shall be submitted no later than February 15, 2001. The Zoning Administrator shall determine compliance with these provisions.
20. Developer shall comply with Development Criteria enumerated in Section 1706 of the Zoning Ordinance of Spalding County. Development Criteria shall be submitted no later than February 15, 2001. The Zoning Administrator shall determine compliance with these provisions.

**Application #00-30Z:** Jerry M. Greer, Owner – 2.51 acres on Slaughter Road, located in Land Lot 117 of the 3<sup>rd</sup> Land District – requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential. Mr. Jerry Greer gave his address as 863 Rocky Creek Road, Hampton, GA. He said that he purchased this property on Slaughter Road. He said one side of the road he applied for rezoning into a development. At the Planning & Zoning meeting the neighbors expressed their dislike to this development and he withdrew that application to comply with their wishes and trying to be a good neighbor.

He said across the road there are two tracts, one tract being 1.25 acres with 125 ft. of road frontage and another tract being 2.5 acres with 250 ft. of road frontage. He said that he came and applied for a permit to build and obtained the permit to build on the 1.25 acres and applied for permit to build on the other piece of property. He said that little did he know that he could not take 125 ft. of road frontage and build on it. He was under the impression that this tract was grandfathered in also. He said in order to enhance this lot that is already zoned he shifted dirt from one tract to the other and spent a tremendous amount of money. He said that he was not trying to upset anybody on this road or to make anyone unhappy but is only trying to correct a wrong. He said he was not necessarily asking for rezoning but just a variance. He said that he had done everything to try to make folks happy.

Community Development Director Michael Sabine explained that grandfathered means existing lot of record and moving around a lot line would have the effect of kicking out a grandfather.

Those speaking in opposition were:

Mr. William Slaughter gave his address as 24 Slaughter Road and stated that he could sympathize with Mr. Greer's mistake but the plat showed two lots to begin with, the one grandfathered in, which he has already constructed a home on and the other one, which would have complied in an AR-1 district and asked the Board to deny this request because most of the land in this area is AR-1 or R-1. He said that this area is rural and would like for it to stay this way. He said that if you change it to R-2 he can put two houses on small acreage there.

He commented that a letter from the Mayor of Sunny Side, James Channell given to the Commissioners stated "The property inside the limits of Sunny Side on Slaughter Road is zoned either AR-1 Agriculture and Residential or R-1, Residential by the City Zoning Ordinance. The City Council of Sunny Side would ask that this request to rezone from AR-1 to R-2 be denied."

Mr. Ray Corley gave his address as 277 Slaughter Road and asked that the Board protect the zoning as it is, which is AR-1 and maybe he can work a variance with the county but build under the same rules that the neighbors did.

Mr. James Corley gave his address as 257 Slaughter Road asked the Board to leave the zoning the way that it is, which is AR-1.

Ms. Pat Grant stated that she concurred with the previous speakers.

Mr. Greer was asked to come back up to the podium to address the opposition. Mr. Greer stated all he was asking for was to divide the 2.5-acre lot where he can build two houses. He said that he has withdrawn the other application and all he was asking for was to recoup his money already spent and build two houses.

Staff and Planning and Zoning recommended approval of this rezoning application.

Mr. Greer was asked if he would be willing to compromise and rezone to R-4 with 1500 sq. ft. minimum houses. He said that he would be willing to compromise to this. This would be a substantial amount on the zoning and the general house size.

Chairman Kendall asked Mr. Slaughter and Mr. Corley if they would agree to this compromise to trade off for the AR-1 zoning. They were told that it would just be this one lot and everything else would stay the same including the fourteen (14) acres he purchased across the road.

Mr. Slaughter commented that he still wants this tract to be kept AR-1.

*Motion made by Commissioner Johnie McDaniel to approve **Application #00-30Z** to R-4 zoning classification. Commissioner Martha McDaniel seconded the motion. Being no further discussion, Chairman Kendall called the question. The motion tied with a vote of 2-2-0 with Commissioners Johnie McDaniel and Martha McDaniel voting for the motion and Commissioners Massengale and Childres voting against the motion with Commissioner Kendall abstaining giving reason of conflict of interest as some of the residents speaking were clients.*

Zoning Attorney Newton Galloway stated that this means no action taken and Mr. Greer can re-file his application at any time.

**Application #00-31Z:** Steve and Sue Durham, Owners – Ronnie Tiller Construction, Agent – 1936 Zebulon Road – requesting a rezoning from AR-1, Agricultural and Residential, to C-1, Highway Commercial. Mr. Steve Durham, owner spoke on behalf of his application and gave his address as 1775 Carver Road. He said that he has been a dentist in Griffin for over nineteen (19) years and plans to construct a new dental office at 1936 Zebulon Road coming north from Zebulon.

There was no one else signed up to speak on this application.

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres **Application #00-31Z** was unanimously approved by a vote of 5-0. **The Resolution will be incorporated into the minutes on second and final reading.***

**3. Other Business**

**4. Adjournment.**

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