



Spalding County online

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, April 24, 2003 beginning at six o'clock p.m. with Commissioners Dick Morrow, Michael Kendall, Johnie McDaniel and Eddie Goss present. Commissioner Cecil Davis was absent. Also present were County Manager William Wilson, Community Development Director Chuck Taylor, Zoning Attorney Newton Galloway and County Clerk Phyllis Doane.

A G E N D A

A. Call to order: Chairman Morrow

B. New Business:

- 1. Application #03-08S:** John T. Bolton, Owner – Greg Pruitt Construction Company, Agent – Stanfield West Phase V off Wilder Way (64.8 acres, more or less, located in Land Lot(s) 12 and 21 of the 2nd Land District) – requesting a Special Exception to allow 1-acre lots in the R-5 (conditional) District.

Mr. Greg Pruitt came forward and gave his address as 55 Partridge Path. He said this was the fifth and final phase of Stanfield West and was requesting this special exception of one-acre lots to make this phase consistent and keep with the spirit of the development of the Stanfield West Subdivision. All the other phases were 1250 SF homes. He was requesting 48 lots in Phase V. He said this property was recently rezoned for subdivision development (R-5, conditional). Mr. Pruitt stated that he was going to sod the front yards and put a buffer up on the North and West side of the property.

Community Development Director gave the staff report. He stated that both staff and Board of Zoning Appeals had approved conditionally. Mr. Taylor also stated that staff recommended that if the soil on the property would allow, the road should be looped to avoid cul-de-sacs; however, the soil was checked and it would not permit the loop. This would have given Mr. Pruitt four (4) additional lots for development.

Mr. Johnny Dyal came forward and gave his address as 72 N. Rover Road and stated he was for this subdivision phase as he felt it would make the neighborhood look good.

There was no one signed up to speak in opposition.

There was a lengthy discussion between the member of the Board and Mr. Pruitt regarding the County allowing developers to build only on two-acre lots and coming back to the Board of Zoning Appeals for a special exception to build on one-acre lots.

Commissioner Morrow had a problem granting the special exception as all the land around it is zoned AR-1 and also this goes against our “raising the bar” to two-acre lots. He also had a problem of this being too many small homes on small lots.

The rest of the Board members felt since this was a continuation of what is already out there in the other four (4) phases, that this would not be setting a precedence with granting special exceptions.

*After much discussion a motion was made by Commissioner McDaniel to approve **Application #03-08S**. Commissioner Goss seconded the motion and motion was approved by a vote of 3-1 with Commissioner Morrow voting in opposition.*

- 2. Application #03-10S:** Crescendo Land, LLC, Owner – Next Generation Properties, Agent – Georgia Highway 155 (41.26 acres, more or less, located in Land Lot 111 of the 2nd Land District) – requesting a Special Exception to allow 1-acre lots in the R-2 District.

There was a memo from staff asking that this application be tabled until the May 22nd meeting as the Board of Appeals at their meeting tabled it.

*Upon motion by Commissioner McDaniel, seconded by Commissioner Goss **Application #03-10S** was tabled until the May 22nd meeting by a unanimous vote of 4-0.*

- 3. Amendment to UDO #A-03-09:** Article 19: O&I – Section 1903(B)(2) – delete provision allowing Day Care Centers as special exception, and Section 1903(A)(21) – add provision allowing Day Care Centers as a principal use.

Ms. Rosemary Parker came forward and gave her address as 3429 Fayetteville Road. She asked the Commissioners to please approve this amendment in order for her to have her daycare center.

There was no one to speak in opposition on this text amendment.

*Upon motion by Commissioner McDaniel, seconded by Commissioner Goss **Amendment to UDO #A-03-09** was approved by a unanimous vote of 4-0. **The Resolution will be incorporated into the minutes on second and final reading.***

- 4. Application #03-03Z:** Alvin M. Parker, Owner – Sammy Parker, Agent – Fayetteville Highway (1.520 acres located in Land Lot 28 of the 3rd Land District) – requesting a rezoning from C-1, Highway Commercial, and R-2, Single Family Residential, to O & I, Office and Institutional District.

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

Director Chuck Taylor gave the staff report. He reported that staff and Planning & Zoning Board recommended conditional approval with the following conditions:

- (a) Brick, stone, or masonry façade shall be used on the front and sides of the structure.
- (b) All requirements within Appendix J, Commercial/Industrial Development Ordinance shall be met.
- (c) Driveway to be located on the property instead of on the easement next door.

*Upon motion by Commissioner McDaniel, seconded by Commissioner Goss **Application #03-03Z** was approved with the conditions referenced above by a unanimous vote of 4-0. **The Resolution will be incorporated into the minutes on second and final reading.***

- 5. Amendment to UDO #A-03-08:** Article 6: AR-2 – Section 604(Y) – delete provision prohibiting subdivisions.

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

*Upon motion by Commissioner McDaniel, seconded by Commissioner Goss **Amendment to UDO #A-03-08** was approved by a unanimous vote of 4-0. **The Resolution will be incorporated into the minutes on second and final reading.***

- 6. Amendment to UDO #A-03-10:** Article 14: C-1B – Section 1402(B)(2) – add provision for automobile, truck, motorcycle racing, speedway and other racing facilities as special exception.

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

Director Chuck Taylor stated that this text amendment gives clarification to the ordinance. It places C-1B District as a special exception.

*Upon motion by Commissioner McDaniel, seconded by Commissioner Goss **Amendment to UDO #A-03-10** was approved by a unanimous vote of 4-0. **The Resolution will be incorporated into the minutes on second and final reading.***

Before Adjournment County Manager Wilson stated that he needed clarification as he was having Zoning Attorney Newton Galloway to prepare an amendment to the UDO to add a Board of Education designee to serve on the Planning & Zoning Board as a non-voting member and eliminate the crossover members on the Planning Commission and Board of Appeals. The consensus of the Board was to draft the ordinance in this manner for discussion at a future meeting.

C. Adjournment.

Upon motion by Commissioner McDaniel, seconded by Commissioner Goss the meeting was unanimously adjourned at 7:36 P.M.

County Clerk

Chairman

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