



Zoning Public Hearing

A public hearing was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Thursday, May 25, 2006 beginning at 6:00 o'clock p.m. with Commission Chairman Eddie Freeman presiding and Commissioners Cecil Davis, Johnie McDaniel, Gwen Flowers-Taylor and Edward Goss, Jr. present. Also present were Community Development Director Chuck Taylor, County Attorney James R. Fortune, Jr. for Zoning Attorney Newton Galloway and Executive Secretary Teresa Watson.

A. Call to order.

B. New Business:

A motion to amend the agenda to move Item #2, Application #06-10S, to Item #1 due to the request of applicant's request to table was made by Commissioner McDaniel, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

- 1. Application #06-10S:** Alan R. Mobley, Julian D. Mobley and Charles F. Mobley, Owners – Vineyard Road and Jones Road (61.65 acres located in Land Lot 69 of the 3rd Land District) – requesting a Special Exception to allow condominium dwelling, patio dwelling or cluster dwelling meeting development standards in the R-2 District.

Motion to table until June 22, 2006 was made by Commissioner McDaniel, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

- 2. Application #06-09S:** Larry R. English and Phyllis English, Owners – Plainview Baptist Church, Agent – High Falls Road (12.30 acres located in Land Lot 78 of the

3rd Land District) – requesting a Special Exception to allow a Church in the AR-1 District.

Mr. Taylor said Plainview Baptist Church, the applicant in this matter, is requesting a special exception for the erection of a church within an AR-1 zone. Per the applicant, the church will be approximately 6500 square feet and shall be placed approximately 300 feet off the right of way of High Falls Road. Staff recommends conditional approval of the request as follows:

1. Any expansion of the structure, any additional structures or the expansion of the use will require another special exception to be approved by the County.

The Board of Appeals recommends conditional approval of the request with the same condition as proposed by staff. Mr. Taylor answered questions and a brief discussion followed. Mr. Wilson noted this new construction would be subject to impact fee collection.

Larry R. English, 3 Bucksnot Road, Griffin, Georgia

Reverend English and Deacon Mainard Eason asked for an explanation of the impact fee that would be assessed for this new church construction. Mr. Wilson explained the fee and process.

Motion by Commissioner Davis to approve Application #06-09S with the condition proposed by Staff, seconded by Commissioner McDaniel, carried by a vote of 5-0.

3. **Amendment to UDO #A-06-05:** Article 5. AR-1, Agricultural and Residential – Section 504:Z; Article 6. AR-2, Rural Reserve – Section 604:Y; Article 7. R-1 Single-Family Residential Low Density – Section 704:Z; Article 7A. Single-Family Residential – Section 704A:Z; and Article 8. R-2 Single Family Residential – Section 804:Z - add provision for development on private driveways.

Mr. Taylor explained this amendment regarding a private drive off a private road comes at the request of the Board. Private driveways off public roads are allowed under the current Ordinance, and this amendment would allow for the creation of private driveways off currently listed private road. Some discussion followed, and it was noted there are currently 30 private roads in the County, which Mr. Wilson read to the Board.

Mr. Fortune said this would allow people on private driveways to be able to do what people on public roads can already do.

Commissioner McDaniel said his only problem concerned the notation that paving to the public right-of-way line should apply only if more than three lots are served. Assuming, of course, that the public thoroughfare is paved, the county-maintained right-of-way should be paved regardless of how many lots are served, and the amendment states this shall apply for more than 3 lots. Mr. Taylor said he would do a language change for second reading to reflect as a last sentence of Item 5 in each of the development standards that “For any lot served by the private driveway, the driveway shall be paved from the street pavement to the public right-of-way line, in addition to the based described above.”

Motion by Commissioner Mcdaniel to approve Amendment #A-06-05 with change as noted: The last sentence of Item 5 in each of the development standards shall state “For any lot served by the private driveway, the driveway shall be paved from the street pavement to the public right-of-way line, in addition to the based described above.” Motion was seconded by Commissioner Davis and carried by a vote of 5-0.

4. **Amendment to UDO #A-06-06:** Appendix A – Section 501:I – amend provision for Architectural Criteria for Single Family Dwellings located within a Subdivision.

As requested by the Planning Commission, this amendment broadens the architectural standards for subdivisions and would allow developers/builders to use cemplank siding all the way around the house, instead of the 25% brick, stone or stucco. If adopted, it would allow the developer to use cemplank shakes or wood shakes to make the 25% requirement. One difficulty in the Planning Commission meeting was they wanted to apply the requirement to already approved developments. Mr. Taylor said his change to the Ordinance was slightly different, which states the provision shall apply to any subdivision platted on or after March 17, 2003, which was the date this section mandating the 25% requirement was originally adopted. Stucco has been removed from paragraph 3. This addition will just broaden the palette of materials available to developers.

McDaniel said he had no big problem with making this change if utilization of the cemplank and shakes applies to a house built on crawlspace with at least three sides of the foundation brick or stone. Some discussion followed regarding cemplank and wood shakes as decorative accents as well as roofing material. Additional discussion was held regarding the use of a built up slab (18" or greater) in lieu of a crawl space for the majority of new home construction.

A motion by Commissioner McDaniel to approve Amendment #A-06-06 with a provision that changes shall be allowed only on houses with a crawl space or built up slab that are veneered with brick or stone on three sides, seconded by Commissioner Davis, carried by a vote of 5-0.

C. Adjournment.

On a motion by Commissioner McDaniel to adjourn at 6:33 p.m., seconded by Commissioner Davis, the vote was unanimous at 5-0.

County Clerk

Chairman

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