

SPALDING COUNTY APPEALS BOARD
Regular Meeting
February 9, 2006

The Spalding County Appeals Board held its regular monthly meeting on February 9, 2006 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Jon Baird, Chairman, presiding, Keith Dryden, Doug Hardwick, Richard Ingram, Charles Perdue, JoAnne Phinazee and Allan McCallum.

Also present were Charles Taylor, Community Development Director, Chad Jacobs, Senior Planner and Yvonne Langford to record the minutes.

Mr. Baird called the meeting to order and introduced the members of the Appeals Board. He invited anyone present that was not the applicant and wanted to address the Board on any of the application's to come forward and sign the request form.

Application #06-01V: Griffin Partners, LLC, Owner – Cowan Road (1.085 acres located in Land Lot 94 of the 3rd Land District) – requesting a Variance from buffer requirements in the O&I District.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said this application is to provide for construction of a new childcare facility in the Cowan Road School district. They have completed a marketing study which identified a need for such a program in this area due to the school which will afford parents the opportunity to drop their children off and pick them up in their school district. They purchased the property on the east side of Cowan Road. The site plan was prepared. One of his partners in the project is a man that has built 150 childcare facilities throughout Georgia. It will cost somewhere in the 1.5 million dollar range and will have 20 employees. It will be a very nice facility. The county requires a turn lane so the traffic on Cowan Road will pull off in a turn lane. To meet the county requirements for the turn lane, the driveway had to be placed so they are not able to get the required setback buffer. They would move the driveway but no matter where it is placed it will not allow them to meet some county requirements. They plan to have the setback and buffers to code with the only exception being the reduction from 25 feet to 10 feet where the driveway is located. They tried to purchase additional property from the neighbor, and he was not willing to sell under any circumstances. The staff recommendation is for approval with conditions, and they feel the conditions are fair and are willing to meet those additional requirements.

Mr. Taylor said the staff recommendation is for approval conditioned on a 6' privacy fence being erected approximately 10' inside the property lines with landscaping

(consisting of Leyland Cypress, Wax Myrtle, American Holly, Foster Holly or Dwarf Magnolias) being planted to the outside of the fence for aesthetic purposes.

MOTION

Mr. McCallum made a motion, seconded by Mr. Dryden, to approve Application #06-1V with the conditions as recommended by the staff. The motion passed with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. McCallum, Mr. Perdue and Ms. Phinazee voting for the motion.

Application #06-02S: Sammie L. Wells and Christine T. Wells, Owners – 2547 Locust Grove Road (31.03 acres located in Land Lots 76 and 77 of the 2nd Land District) – requesting a Special Exception to allow a private school in the AR-1 District.

No one was present to address the board regarding this matter, and it was moved to the last item on the agenda.

Application #06-03V: Michael A. Lloyd, Owner – 97 Westwood Drive (5.11 acres, more or less, located in Land Lot 14 of the 4th Land District) – requesting a Variance to extend or alter a non-conforming use in the AR-1 District.

Michael A. Lloyd – 97 Westwood Drive

Mr. Lloyd said he wants to add a room to his house to accommodate his son who is confined to a wheelchair. His son intends to move in with him in approximately 11 months. He has to widen doors and make other alterations in addition to the extra room.

Mr. Taylor said the staff recommendation is for approval conditioned on the addition being constructed so that it will match the existing building in design and appearance.

Mr. Lloyd said he intended to meet the conditions.

MOTION

Mr. Dryden made a motion to approve Application #06-03V. The motion passed on a second by Mr. Hardwick with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. McCallum, Mr. Perdue and Ms. Phinazee voting for the motion.

Application #06-04V: Minerva Spring Lake, L.P., Owner – Jordan Hill Road and Teamon Road – Sun City Peachtree – (1715.568 acres located in Land Lots 184, 185, 186, 187, 199, 200, 217, 218, 231 and 232 of the 3rd Land District) – requesting a Variance to allow cul-de-sac streets to exceed 300 linear feet, reduce cul-de-sac turnaround diameter of 120 feet and reduce pavement width from 26 feet.

Jane Curtis – 2292 Henderson Mill Road

Ms. Curtis said in designing the Heron Bay project and the Sun City Peachtree projects, they have found it to be very challenging to meet the cul-de-sac requirements. With the Heron Bay project, they used the PDD zoning which allowed 500'. They have recently been working on the active adult residential zoning which does not have the same provisions. They are trying to preserve the natural enhancements of the area and maximize the use of the land and need to request a variance on the cul-de-sac requirements. They additionally need to reduce the pavement width from the 26' width to a 24' width. The main roads will be a boulevard style and will not be affected by the reduced pavement width. They are requesting the variance on the individual pods. They have found the more narrow width helps to slow the traffic. Ms. Curtis made a presentation regarding the Sun City Peachtree development. She noted that they are in the process of the zoning change at the present time.

Andrew Moses – Jonesboro, Georgia

Mr. Moses said he lives in Jonesboro but owns property in this area. They keep explaining they are going to close Seven Forks Road and make a cul-de-sac. Is that right or wrong? They are talking about 20 up there. They better be figuring on another road because there is enough land between there and 20 to fill up 20. Nobody is speaking out about roads from Fayetteville to McDonough. You try to get out on that road right now. It is a two lane road, and they are not doing anything about it. The road they built to the race track is going to fill up too. You have no roads going through Griffin to Atlanta except 19-41. Nobody is speaking about roads to get the people in and out. That is what he is wondering about. They said there is going to be a business on the end of Jordan Hill and if you put a business in there you are going to crowd it up. People don't really know what is going on.

Mr. Baird advised Mr. Moses that the meeting was to discuss the special exceptions that are being requested. He suggested that Mr. Davison would probably be happy to answer Mr. Moses' questions if he would meet with him at the end of the meeting tonight.

Jeff Sealey – 93 Springdale Drive

Mr. Sealey said the diameter on the cul-de-sac needs to be greater. If you go to Springdale Drive and Ponderosa, you will see that even the school buses do not have enough room to turn around. He wanted to know about the waste treatment plant they are building.

Mr. Baird said the Appeals Board needed to address the application as requested which is the cul-de-sac length and pavement width.

Mr. Taylor said on this application the request for the cul-de-sac is actually to narrow the right of way line but keep the diameter of the pavement as required in the ordinance.

Dick Morrow – 273 Westchester Drive

Mr. Morrow said regarding the variances that have been requested, when the county went to the PDD development to allow planned development, they allowed more narrow streets and turn a rounds and some flexibility because they understood planned developments needed that. With the new zoning for the adult community, it appears they lack the flexibility. He feels the 300 feet is an unrealistic restriction. The purpose of the short turn around cul-de-sac is to not create a long dead-ends because of emergency vehicles. If you look at the planned developments and the way they do their pods, 300 feet will not work. He recommended allowing them the flexibility to work with the topo and keep the green space. This is going to be a wonderful development and a “god send” for the schools. All the tax revenue for schools and no children. He hopes the county will work in any reasonable way with Minerva to assure this development. The three variances are essential.

Mr. Taylor said the staff recommendation is to table this application until the zoning is complete.

On discussion the Appeals Board decided to approve conditioned on the zoning approval.

MOTION

Mr. Dryden made a motion to approve Application #06-4V conditioned on the zoning being approved. The motion passed on a second by Mr. Perdue with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. McCallum, and Mr. Perdue voting for the motion and Ms. Phinazee voting against.

Application #06-02S: Sammie L. Wells and Christine T. Wells, Owners – 2547 Locust Grove Road (31.03 acres located in Land Lots 76 and 77 of the 2nd Land District) – requesting a Special Exception to allow a private school in the AR-1 District.

Neither Mr. nor Mrs. Wells was present.

Mr. Taylor said if the applicant is not present, his recommendation is to table.

Several people were present regarding this application and Mr. Baird apologized to them.

MOTION

Mr. Hardwick made a motion to table Application #06-02S. The motion passed on a second by Mr. McCallum with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. McCallum, Mr. Perdue and Ms. Phinazee voting for the motion.

Mr. Taylor said it will be on the next agenda and notices will be sent again.

Mr. Baird said if they fail to show for the next meeting, it will be considered.

MINUTES

Mr. Dryden made a motion, seconded by Mr. Ingram, to approve the minutes of the January 12, 2006 meeting. The motion passed with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. McCallum, Mr. Perdue and Ms. Phinazee voting for the motion.

MOTION

The meeting was adjourned on a motion by Mr. McCallum and a second by Mr. Dryden with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. McCallum, Mr. Perdue and Ms. Phinazee voting for the motion.

Jon Baird – Chairman

Yvonne M. Langford - Recorder