

SPALDING COUNTY APPEALS BOARD
Regular Meeting
January 11, 2007

The Spalding County Appeals Board held its regular monthly meeting on January 11, 2007 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Allan McCallum, Vice- chairman, presiding; Shawn Cain; Keith Dryden; Doug Hardwick and JoAnne Phinazee. Richard Ingram and Charles Perdue were not present.

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

Mr. McCallum called the meeting to order and invited anyone present that was not the applicant and wanted to address the Board on any of the applications to come forward and sign the request form. All of the members of the Appeals Board introduced themselves.

Mr. McCallum requested a motion to amend the agenda to have the election of chairman first and then vice-chairman.

MOTION

Mr. Dryden made a motion to amend the agenda to hold the election of chairman first and vice-chairman second. The motion passed on a second by Ms. Phinazee with Mr. Cain, Mr. Dryden, Mr. Hardwick, Ms Phinazee and Mr. McCallum voting for the motion.

ELECTION OF OFFICERS

Mr. McCallum called for nominations of a chairman.

Mr. Hardwick nominated Keith Dryden for chairman. There were no other nominations. Mr. Dryden was elected with Mr. Cain, Mr. Dryden, Mr. Hardwick, Ms Phinazee and Mr. McCallum voting for his confirmation.

Mr. Dryden assumed the chairmanship and called for nominations of a vice-chairman.

Ms. Phinazee nominated Mr. Hardwick for vice-chairman. There were no other nominations. Mr. Hardwick was elected with Mr. Cain, Mr. Dryden, Ms Phinazee and Mr. McCallum voting for his confirmation and Mr. Hardwick abstaining.

Application #06-31S: Lift from the table – Wat Phramahajanaka, Inc., Owner – Phanilak Soukkhanowong, Agent – 488 Steele Road (5 acres located in Land Lot 39 of the 3rd Land District) – requesting a Special Exception to allow a church, synagogue, chapel or other place of worship in the AR-1 District.

Mr. Galloway said the attorney for the Temple was delayed in traffic and had not arrived. He suggested amending the agenda to delay action on this application until the attorney arrived.

MOTION

Ms. Phinazee made a motion to amend the agenda to move Application #06-31S to the end of the agenda. The motion passed on a second by Mr. McCallum with Mr. Cain, Mr. Dryden, Mr. Hardwick, Ms Phinazee and Mr. McCallum voting for the motion.

Application #06-34S: Howard P. Wallace, Trustee for the Estate of James Roy Goggins, Owner – Tom Ross, Ideal Homes of Griffin, Agent – 760 Hudson Road (16.23 acres located in Land Lot 212 of the 2nd Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Tom Ross – Ideal Homes – 101 Moreland Road

Mr. Ross provided information from the Spalding County Tax Map for reference. He said that Shirley Shatzoff had explained that in December of 2005 she had a house fire that destroyed her home and she wanted to replace it with a manufactured home. She was delayed in her action to replace her home because three weeks after her home burned her husband died. She was not ready to make the decision regarding home replacement until later. This application is to allow her to replace the home with a manufactured home. Her property is 16+ acres. On the reference material furnished by Mr. Ross he had located the place on the property where the manufactured home will be put. The area surrounding her property is industrialized and light industrialized and commercial. The surrounding lots were also identified as to type structure on the property. The staff did a study that stated that the trend in the area is for conventional construction. He feels this is a “stretch”. The area around her is not predominantly residential nor is the trend for residential. You have to go beyond the half mile radius to see any type homes. He requested the Board to give her permission to replace her home with a quality manufactured home that she can afford and return to the property she intends to live on for quite some time. He provided a copy of the home that she has selected.

Shirley Goggins Shatzoff – 760 Hudson Road

Ms. Shatzoff said Mr. Ross had said what she wanted to say. She is a widow and a senior citizen. She is not asking for a permit for a home but to replace one that has been in her family for 60 years. She moved to this house when she was five years old. This is her home and the place she loves. It is filled with memories. When her home burned she moved into one of the two manufactured homes on the property that is owned by her step sister-in-law. The step sister-in-law has a lifetime deed to the acre of land that she is on. When she left that home she moved into a 15’ x 30’ space that had been occupied by tenants. The people that had lived there helped to take care of the farm and her husband when he was sick. There is an additional mobile home on the property that has been there since the 70’s that were originally her step-brothers and the home her father moved into when she returned to Griffin. There is an older mobile home park on the corner of Futral Road and Green Valley Road a half mile from her land. When her husband died it cut her income by 2/3 rd’s. The only thing she has to live on is her social security and her working. She could only work part-time because she would not reach her retirement age for 8 months. She did not want to make any major life decisions for a year. She was very depressed for six months. She has weighed the pros and cons regarding a conventionally built home and a manufactured home and at her age she does not feel it is appropriate to invest the money in a conventionally built home on this site because the area around her is becoming industrial. She has four children, none of which is in the

area. She knows they do not have an interest in living in this area. A nice double-wide manufactured home is the better decision. She is a citizen of Spalding County and needs a quality home. She feels she is entitled to a quality of life and a quality home. She is in a unique situation. She needs the Appeals Board's support so she can be a contributing citizen.

Howard Wallace – 861 Woodland Drive

Mr. Wallace said if there is ever a cause to grant an exception Shirley Shatzoff deserves it. He has known her for many, many years and before he knew her he knew her father, Roy Goggins. He worked hard and had a little dairy on Hudson Road. This change will not affect anything. It will give Ms. Shatzoff a place to live for her remaining years. He is the trustee of a trust established by her father to ensure that his 38 cows were looked after. He loved his cows and thought the 17 acres could produce them and he wanted it to go on in perpetuity. Ms. Shatzoff needs this help. She has no other place to go. He requested the Board to make a wise decision.

Mr. Taylor said the area is a "mixed bag" of zoning. It is dominated by industrial zoning. The property across the street is split zoning and has some property zoned as single-family residential and some zoned as agricultural. Behind the property is Hudson Industrial Park which is zoned C-1C. Adjacent is the Caterpillar warehouse which is zoned industrial. Across the railroad is Green Valley Road where there is another industrial park.

Mr. McCallum said, according to the information Mr. Ross provided, in the past 20 years five conventional homes have been built, one mobile home and nine warehouses. The trend is warehouses and conventional homes if you want to rate them.

Mr. Taylor said the staff is very sensitive to Ms. Shatzoff's situation and what she has been through. The staff is charged by the ordinance to only look at the specific criteria the County has adopted for making a recommendation on manufactured homes. In looking at the criteria the housing in the area is trending to conventional construction. The recommendation, based on the criteria of the ordinance, is for denial. Should the County deny the application since Ms. Shatzoff's grandfathering time has technically expired her application for the special exception has stayed the running of the grandfathering she can still apply for an application for a conventional home or a DCA manufactured home on the site.

Mr. Galloway reminded the Board that Staff is constrained by the Ordinance. The Board of Appeals makes the determination and has more flexibility than the staff.

Ms. Shatzoff said she was advised to bring her closest neighbors but her closest neighbor is in his 80's and very feeble. That is the only residence in sight of her property. She had papers from her step sister-in-law that lives in a mobile home on the property and from this neighbor.

MOTION

Mr. McCallum made a motion to approve Application #06-34S. The motion passed on a

second by Mr. Cain with Mr. Cain, Mr. Dryden, Mr. Hardwick, Ms Phinazee and Mr. McCallum voting for the motion.

Application #06-35S: 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 Special Exception for a certified medical hardship in the AR-1 District.

Michael A. Lloyd – 97 Westwood Drive

Mr. Lloyd said he is requesting permission to put a trailer on his property for his mother because she is 87 years old. He is a Viet-Nam veteran and is disabled. He needs for her to move closer to him.

Mr. Taylor said the staff recommends approval.

MOTION

Mr. Hardwick made a motion to approve Application #06-35S. The motion passed on a second by Mr. McCallum with Mr. Cain, Mr. Dryden, Mr. Hardwick, Ms Phinazee and Mr. McCallum voting for the motion.

Application #06-36V: Hooper Trailer Sales, Inc. and C. L. Cook, Owners – Lakeside Construction, Agent – 1726 U.S. Highway 41 South By Pass (2 acres located in Land Lot 120 of the 2nd Land District) – requesting a Variance from minimum front yard setback in the C-1B District.

No one was present to address the Board regarding this application.

MOTION

Mr. McCallum made a motion to table Application #06-36V until the next meeting since no one is present to address this application. The motion passed on a second by Ms. Phinazee with Mr. Cain, Mr. Dryden, Mr. Hardwick, Ms Phinazee and Mr. McCallum voting for the motion.

Application #06-37V: Julia S. Sailors, Executrix for the Estate of Mary Woodard Spencer, Owner – Harlow Avenue (Lot(s) 15, 16 & 17 - 1.90 acres located in Land Lot 178 of the 2nd Land District) – requesting a Variance from the minimum front yard setback in the C-1B District.

Julia Sailors – 827 Bel Air Circle

Ms. Sailors said a variance is required because the building needs to be 75 feet back from the street and it is only 38 feet plus. The building has been there since the early 70's. She has just sold it and the variance is needed. The building will be used for Robert Page's soil erosion control business.

Mr. Taylor said the property was recently re-zoned and that caused the need for the variance. They cannot issue a certificate of occupancy unless the structure and the property are in compliance with the ordinance. The staff recommends approval.

MOTION

Mr. McCallum made a motion to approve Application #06-37V. The motion passed on a second by Mr. Hardwick with Mr. Cain, Mr. Dryden, Mr. Hardwick, Ms Phinazee and Mr. McCallum voting for the motion.

Application #06-31S: Lift from the table – Wat Phramahajanaka, Inc., Owner – Phanilak Soukkhanowong, Agent – 488 Steele Road (5 acres located in Land Lot 39 of the 3rd Land District) – requesting a Special Exception to allow a church, synagogue, chapel or other place of worship in the AR-1 District.

MOTION

Mr. McCallum made a motion to lift Application #06-31S from the table. The motion passed on a second by Ms. Phinazee with Mr. Cain, Mr. Dryden, Mr. Hardwick, Ms Phinazee and Mr. McCallum voting for the motion.

Michael Goode – Kennesaw, Georgia

Mr. Goode said he wanted to assure people that this will be a country temple and as such will not have any amplification equipment of any type. It will not be like a city temple like the one in Decatur that has amplification. The other issue was the restroom situation. Unfortunately they have not been made aware regarding whether or not a decision has been made regarding that matter. They plan a contemplative and meditative environment and will not have the glaring lights. The adjacent landowner, when she moved in, had a party with a radio. That is her property and is not a part of this property. He does not know whether or not people thought that was coming from the temple or not.

Mr. Cain said he had visited the property and had talked to the property owners in the area and they are saying that they have been able to hear the meetings.

Mr. Goode said the adjacent property owner has had parties and he feels it is difficult for the neighbors to differentiate between the two properties.

Alan Cauthen – 350 Steele Road

Mr. Cauthen said his mother owns the land adjacent to this property. They have lived there since 1974. It has always been residential and farm land. He is a Christian American and he understands there are rules and laws. His first laws are to God and to him this thing is an affront with the commandments one and two that he goes by. He thought you had to have zoning changes and permits and all before you started building structures and adding things. They have a covering over Buddha where you can't see him from his property. He does not know if they think it will make people madder if they can see him or not. It was brought up last time that as long as you meet certain criteria you can get zoning changes at will. Why do you have zoning laws if you can get exceptions for any and everything that you want to as long as you meet the criteria? Right now it is a country temple but if this is approved who is to say it is not going to be a city temple next week?

Madaline Chambers – 575 Steele Road

Ms. Chambers said her property, which she purchased five years ago, is almost directly across from this property. Mr. Cauthen has said pretty much what she wanted to say.

She moved to the area from Peachtree City to enjoy the farmland with homes with great distances between them. There has been lots of traffic in and out of there. Her husband is a police officer and she questioned him around Christmas regarding the traffic. She wondered if there was drug activity because it is all hours of the day. They do not have a regular Sunday service they come at all hours of the day and night whenever they feel they need to go to that just to pray. The reason she knows this is because she works in a mall at Union City. There are some tenants that close their store in the middle of the day because they feel they need to go speak and then they open their stores back up. She heard all the activity. You could hear loaders and dump trucks and stuff building something over there. Once all that ceased, you could see vehicles coming and going all hours of the day. She moved to the area for what they have there now not for what is almost a business environment with people coming and going as they please. She feels certain they would tell anyone they are not invited. She is pretty sure that if someone wanted to be part of their church affiliation they would allow that. She does not want that where she is. If they want to have that for their family, that is fine. To rezone something to allow more and more people to come is not why she moved here and it is not something she wants. She moved here to stay. She did not purchase ten acres of land with the house she has to sell it in five or six years. She intends to stay here. They haven't even gotten the re-zoning and you can already see a change.

Phanilak Saukkhanoulong – 498 Steele Road

Ms. Saukkhanoulong said she donated the land for the Buddha. It is a great peaceful place. She has four children and she wanted them to learn what she learned when she was young. They teach all about peace. That is why they are here because it is peaceful. He has no music going on. The music was her. When she first moved in it was a really big deal. When your child buys a home and moves out on her own they celebrate. It was not him. He had not moved in when they celebrated. Since he moved in they have not made any kind of noise or any kind of music. There is a church right down the street and she would like to have a place to worship instead of having to drive 40 to 50 miles to another place. This place is really peaceful. Later on it is going to really be peaceful because this is the way he teaches all of us. It is the way they worship, sitting and meditating; meditating to get all of the stress out. When people come it is because they want to be in a peaceful place and they respect that. They do not come everyday. They do not come every Sunday. They come once in a while. They do not come at night at 10 or 11 o'clock. It will be a really great place. The reason they cover right in front of the Buddha is so that the rain will not splash him. They do not want to take over. They just want a place to worship. They would love it if this could just be approved.

Franklin Ly – 8040 Derbyshire Court – Duluth, Georgia

Mr. Ly said he sits on two boards of the Temple in the Atlanta area. He is a Secretary of the boards and is also the advisor to this Temple. He attended the last meeting and he heard a lot of concerns of the citizens and neighbors in the area. They have very legitimate concerns. They have their concerns. They are concerned about noise, traffic and other things. They listened to the concerns and went back and talked about them. The said they do not want us over here. The response was that it was good so they can hear all the concerns and know what they want and don't want. The conclusion was that this is a good place. They are good neighbors and they want to be in a good neighborhood. They want to improve the neighborhood and be better. They want to look

out for each other. Meditation is not a place to make noise, to party and do wild stuff. It is a place for peace. It is not them to make people feel pain and hurt. They are out there to help people to release the pain, to feel no more stress; to feel better. That is what meditation is all about. That is what they want it to be in this place. Fortunately the owner donated that piece of property to the monk. They do not want to hurt anybody. We understand the concerns but the more we get together, the more you visit us, we can talk and we can understand each other. I promise you we will not make those noises and the traffic will not be bad. He comes once a week to help. When he comes there are four people, three people, five people, each time on Saturday. When you see capacity for 50 people we might hold that kind of ceremony festival three or four times a year. It does not happen every day. He hopes the Board will approve this location.

Terry Sweatt – 1315 Manley Road

Mr. Sweatt said he has been a resident for twenty years. He had a plat to identify the site and the houses in the area. He said they want to put this in their backyard. There has been noise back there. The last time they had a meeting there was a little bit of noise and sounded like they had a PA system. It is 240 yards from his back door. They all go to work everyday. They come home to relax in their home. They have a good turn-out of neighbors that live in that general area. They have all lived there a long time. This is not right. At the last meeting it was said this was going to be a place for the greater Atlanta area people to come down and worship. They moved here to get out of Atlanta. Why would you let Atlanta come to their backyard and disturb our lifestyle for a couple of hours or however long they do this and then turn around and go back to Atlanta to their home?” It does not seem right. If you have 50 people there walking around just talking it is going to be quite loud. There is a creek there, there is a swamp there that carries noise. It is not a buffer. It carries noise. They have gone down there and cleaned out a lot of undergrowth. He used to not be able to see the house but he can see it now because they have cleaned out the undergrowth. That is fine but he does not approve of what they want to do now. They have generations of people that live there in the area. Some people were actually born in the area. If this is allowed there should be some kind of buffer put up. He has just heard that there are applications for two facilities on these five acres. On the five acres there is probably only an acre and a half to two acres that is dry land. The rest of it is swamp. He understands there is going to be a four bedroom house and the worship station. That is two facilities. The road is not built for the traffic. It is a small country winding road. He understands they want a place to worship but there is a place to put a place of worship and a place not to put a place of worship. They are putting a new church on Birdie Road but they have 40 acres.

Lucy B. Smith – 35 Roy Norris Road

Ms. Smith said she is against this is the traffic. Going down Steele Road there is a sharp curve just before you get to this property. It is dangerous. They moved here two and a half years ago, she, her daughter, husband and family. They moved from Stockbridge because it seemed more private and peaceful. She is speaking for her whole family and some of the neighbors on Roy Norris Road. They think they should be in a business district and not a residential district.

Herman Baker – 240 Steele Road

Mr. Baker said his property backs up to this property on the other side. There have been several parties that last up until 1 to 2 o'clock in the morning. He is sitting in his den trying to watch TV and he can hear the music. He hears them trying to sing. He purchased the property in 1999. He built his retirement home there because it was a peaceful neighborhood. His kids come there and shoot their guns and hunt in the backyard. With this going on there will be no more of that so they have taken from him and his children and grandchildren. It is not right to come to his backyard and put up whatever they want and come to worship anytime they want. The traffic has doubled on Steele Road. It is a big hassle for them. He never dreamed that anything like this would happen. He does not see how you can give them a permit for a commercial building or whatever they are going to have in a residential area. He agrees with everything that Mr. Sweatt said. He is right beside them and he is right behind them. Everything they do he hears. He has six acres between them and he can still hear them.

Leonal D. Tyler – 1911 Rosewood Drive

Mr. Tyler said the area is expanding and so will the traffic. Across the creek a lady feeds the animals right out in her front yard. She put out bales of hay which is not very attractive. The man lives behind them has some huge waste containers; at least ten of them on his property along with a large truck. He bangs them around and makes more noise than these people do. Does he have a permit? It is a commercial business. As far as it being noisy, once it is dark you could hear a mouse crawl around there. He goes there in the daytime, cuts the grass and a lot of the brush and tries to keep the place looking clean. He has a weed eater and a lawnmower. This is in the daytime. The food the monks eat is mostly donated to them by people that go there to worship. They generally eat only twice a day which is usually in the daytime. There are people that bring them food but that is in the daytime. The average age of the people worshipping there is generally in their mid fifties or older. His wife is 64 years old. She became a citizen of the United States as a lot of these people have. All of them are from Southeast Asia. A lot of the people work in this area. A lot of them are professional people: doctors, lawyers and nurses. They have a right to have a place to worship. Why should they have to go down the road fifty miles away? It wasn't too long ago that on Good Morning America they had a Buddhist Temple in Tibet and they indicated it was one of the most magnificent places in the world. Chinese people did not have any objections to it so why should we? This is a small group of people that have a small piece of land. They are peaceful. They mind their own business and do not interfere with anyone else. He retired from the military after 21 years in the service. The first assignment he had overseas was to Thailand. They started to learn there that the temples are something to actually see. They draw tourists there every year.

Sonakran Serivez – 498 Steele Road

Mr. Serivez said he is a Buddhist Monk. Mostly people are talking about noise. In his country of Thailand temples in cities have noise because they have a service like Sunday school for the children and they can get noisy. This Temple will not have parties and there is no music. There is just some chanting. People come to the temple once they become popular they can have coffee if they like. This Temple, they come here because it is peaceful. The lady gave the land for the Temple because it is good for her family for

her children too. The people come from Asia, Laos, Cambodia and need to know about their life and religion to keep their mind, their body and their life to go on with happiness.

Bhanta Wajing – 3153 Hilley Road – Lithonia, Georgia

Mr. Wajing said he is present to share his thoughts regarding the establishment of a monastery. They came to this area just to have a monastery. They have walking meditation and sitting meditation. The walking meditation is slow walking and the sitting meditation is concentrating on the mind and is called mindful meditation. That is why they set up a monastery in this area. He wants to protect all the woods. The monastery needs to be set up in the woods. The focus is not to kill, not to steal, not to do any sexual misconduct and not to take any drugs. They want to establish this monastery as a peaceful place of meditation.

Barry Jones – 243 Steele Road

Mr. Jones said he moved to Spalding County 34 years ago. The reason he moved to Steele Road was for the peace and quietness that it offered. It was a residential area. He would not want to see one of his own denominational churches build out in this area because it is a residential area. He respects each and everyone's opinion. By allowing any church to come into the area you are breaking the area down from residential and this is not good. Any of the gentlemen on the Board would not like a church coming right next to them. He loves everybody. He is not a racist in anyway. There are certain places for certain things. The Temple in a residential area is not good at this time.

Dutch Carothers – 578 Steele Road

Ms. Carothers said she is totally confused about a few things since the last meeting. She does not know if the Buddhist religion is an issue or not. She is not here about their religious beliefs and how they practice. They made an application for a Temple. Is this still about a Temple? Is it about a house or restrooms facilities? She needs clarification. She has heard so many different things. He stated that the church would have three to four worshipers at a time. Then it went to 15 or 16 at a time and then to 30 or 40 and then he said hopefully he could attract hundreds from the metro Atlanta area and surrounding counties to come a worship at that facility. Hopefully they would fall in love with the area and move down here. He also stated there are three or four larger meetings held during the year. He mentioned walking in the woods, meditating, such as a retreat area for worship. Then we got into the septic tank problem and it was all tabled. She is unclear what they want and she would like some clarification. She heard today that they have applied for a building permit to build a four bedroom house suitable for worship services on that same five acres. Is that true?

Mr. Jacobs said that before the application came to Community Development it was mentioned that originally it was going to work out that this was going to be a monastery for the gentleman who owned the property who practiced by himself. Two building permits were granted for an accessory structure and for a residential home. At that time it was explained to them that some interest was raised in the community and did they want to go to a church status. There has been an application for an accessory structure and for a residential home for religious use.

Ms. Carothers asked how many dwellings you can have on one piece of property. The way she sees this is they have what they call a tool shed which looks kind of like a shed but it has two stories and a front porch. They have a temple that is already there. They are asking for a four bedroom dwelling and also outside toilet facilities to accommodate 50 people. There is just one small area of dry land there. She said she understands you can have a parsonage on property. One of her neighbors had 25 acres with 200 feet of road frontage. He applied for a permit to build a house. He was told he could build a house but he would have to tear down the doublewide he was living in at the time. That would be two places on 25 acres. Now we have a parsonage, a church, a so called tool shed and toilet facilities for 50 people on five acres. There is something here that is not right. Does this mean the four bedroom house will be used for a retreat? Several people have mentioned a retreat. A retreat can be a day retreat, a three or four day retreat or whatever. At a catholic monastery in Conyers they go and stay four or five days. Does that make the house for the retreat a motel? Is Steele Road an appropriate place for a hotel or any kind of commercial development? Doesn't it have to be turned into a commercial area before that can happen? They have said they want to have retreats. They are going to have a four bedroom house. They have a worship center there, and all of that. There is no comparison to Crestview Baptist Church. That is on 40 acres out in the clear daylight for everybody to see with the doors open. It is not on five acres in the woods. A church is tax exempt. What if we all decided to turn our houses and property into churches? That can affect Spalding County greatly. This sets precedent for all kinds of things to happen because this is a farming area, AR-1 residential. It is not for a hotel, motel, retreat or whatever. All of it needs to be thought out more clearly because she keeps hearing different stories from different people.

Mr. Galloway said churches are allowed in all zones including subdivision classes. He went over what is defined as a church. He said it would be very difficult politically to restrict churches out of most zoning districts.

Wayne Holt – 1390 Manley Road

Mr. Holt said his concern is that this church, later on, might start buying the property around it. His front porch looks directly at the shed they have now. This thing gets bigger and bigger and one day he is looking at a big ornate temple. As has been said tourists are coming, traffic, his property values go down and he can't sell his home.

Glen Duncan – 1397 Manley Road

Mr. Duncan said he cannot understand what is happening. They came to talk about a temple and now they are talking about a four bedroom house. He thought the monk was just here part of the time and people came to visit. How many people are going to live in this four bedroom house? I like what they said about building walls to keep the noise out. He has lain in his bedroom at night and heard some sounds. He does not know whether it was from a party from the house or not. He can see this from his house. He is 600 to 700 feet away. He does not know exactly what the plan is. He knows there are zoning rules and people can twist the zoning rules. The church is not on the street at all. You can't see the church from the street. His understanding is that there is not a driveway that comes into this property. They are going to use an existing driveway from the existing house.

Michael J. Morgan – 656 South Hill Street

Mr. Morgan said this great republic or ours was founded on religious freedoms. Neighborhood churches back to Plymouth and back to New England have always been a part of our culture. He would like to assuage the fears of the population that are afraid to have this retreat area in their neighborhood. He has been studying religions since he was 18 years old. He has gone to Catholic retreats, Baptist retreats, Methodist retreats, he visits Rock Springs Church and visited the Temple today. This is not a temple, it is a retreat area. They certainly want to bring people from Atlanta down but one at a time, two at a time. At a retreat you do not have 50 people there at one time. A retreat is where you come into yourself, you become very quiet. Maybe the neighbors can use this area themselves to get away from the hustle and bustle of the family and maybe bring a child there and let them experience the quiet. This is an open religion. It is a very structured life. It is very quiet and peaceful. They do not use loud music, they do not use loud chanting. That is not the Buddhist way. It is returning to nature. There is a lot of misunderstanding about this whole concept of a temple. It is a quiet pastoral setting. It is not 50 people walking around. It is one person very quietly contemplating their existence. It is not foreign. It is quietness. He has heard more noise coming from the closed Rock Springs Church during a congregational meeting than he has ever heard at a Buddhist Temple. He has spent much time at Rock Springs and First Baptist; it is the same thing. He has been to the First Methodist Church and it is the same thing. The Buddhist is the most quiet, most peaceful and most friendly and most accepting of all the religions that are out there. You should embrace this and bring this into your neighborhood because it actually increases the property values. They do bring the type people down that are peaceful and quiet. Maybe you will get rid of some of the crime that is in Griffin.

Michael Morgan, Jr. – 600 South Hill Street

Mr. Morgan said he is one of the people that ended up there at all hours of the night because he cannot get off work until 5:30 so the earliest he can get there is 6:00. His father was recently an invalid in the hospital and he called the Monk and asked him to pray for him. He was kind enough to do that. Even if it did not do anything for his father it helped him in a very quiet and peaceful way. I understand people are worried about change and noise. We are in the metro Atlanta area. Whether we want it to or not the noise is coming. The change is coming. We can embrace that or we can fight it. We can turn Griffin one day into Buckhead or we can turn it into Decatur. He lives in a place where police sirens go past his house every night. He goes out to this place and there is none of that. There is love and happiness. He would like to go there more often. If it goes away he will be incredibly sad and his heart will weep.

Scott Conaway – 178 Steele Road

Mr. Conaway said he appreciates living in Spalding County. He moved here about 2 years ago. He purchased 15 acres. He has 500' of road frontage. In the past few years there have been several new subdivisions in the area. He is a business owner and he has a truck and trailer that goes in and out of there. In respect for his community he moved his business to Highway 19-41 today. His company has started to grow. He started out in his home. He felt it was time for the community to do the right thing so he moved his business. He also has two houses. They say they are going to have 50 people at this place. How do you regulate 50 people that don't worship at the same time? Over seven

days that could be 500 people. There just won't be 50 there at one time. How do we know it is not going to grow to that? He loves church. He wishes his church would grow to 500 people. It would be wonderful. It would be wonderful if theirs grew to 500 people but he does not want it in his backyard. He has a problem because the community is getting "squished". We are in a farm area with lots of land. He does not want to see them having to sell. He knows they like to light candles. He is adjacent to them, up hill, all woods, all pines. Pines lay needles in the fall. Fire spreads very easily. He is not saying they are going to cause a fire and burn his house down but with candles burning all the time it is a good possibility that he is no willing to accept.

Chris Faron – 680 Steele Road

Mr. Faron said he lives on a hill and can see down on everyone and he hears chanting and all kinds of loud music over a period of time. He did not know what it was but now he knows what it is because he had a neighbor that told him what was going on. Everybody has been coming down here from Atlanta. He moved to this area because it was quiet and peaceful. Everyone is coming to worship and then they get to go back home to their peace and quiet but we don't have it because we have all this traffic coming. They really do not like it at all. Their property values will probably go down. It is a quiet peaceful area but when you get all this traffic coming in from Atlanta. Nobody lives here that is going to be worshipping there. They talk about everybody being from a different county. They do not agree with that.

Amy Faron – 680 Steele Road

Ms. Faron chose not to speak. She said her husband had spoken for both of them.

Anthony and Diane Palmer – 1292 Manley Road

Ms. Palmer said her property is east of this property. She purchased five acres four and a half years ago. She purchased because it was agricultural and there are a lot of horses, cattle, livestock and yes there is hay in the field and people's yards. She has horses and she moved from Vineyard and all the subdivision going up there. She invested quite a bit of money in this property. She is still improving her property. She believes everything all the other neighbors are saying. She does not want to see the traffic flow grow like Vineyard Road did. She left Vineyard Road because she knew her house was not going to have a good marketable value to try to sell with all the subdivisions going in. She wanted agricultural land. She loves the property; the wildlife around it. She does not want her property value to be affected. She could have bought in an area with churches and schools and that is not why she bought the property. She wants to stay in agricultural and for the peace and tranquility. All these other people have lived there longer than she has and it has been their home place and she cannot blame them for coming here tonight to say how they feel. She would not change her mind tonight.

The Appeals Board took a 10 minute recess.

Mr. Dryden called a person from Environmental Health to give a status on the septic system.

Eddie Wilson – 9 Spencer Hollow – Barnesville, Georgia.

Mr. Wilson said he was manager of The Environmental Health of the Spalding County Health Department.

Mr. Wilson said in January of 2005 they had an application for a three bedroom house at this site. They went out did an evaluation and looked at the soils which were questionable. At that time a Level III soil study was requested from a certified soil classifier. That report showed that part of the property is unsuitable for a conventional septic tank system but was suitable for an alternative system. When that is the case they require the applicant to get an engineer to design an alternative system for what they are proposing. That was done by the applicant. They designed a drip emitter system, drip irrigation system. This type system requires treatment to clean out the sewage and then it goes into a drainage system which is a drip system. There are small emitters that put out small amounts of sewage over a larger area. The system was designed and a permit was issued. At some point in the last month or so there was an inquiry from the attorney of the Temple regarding the requirements for a worship center. Some of the residents in the area called and he explained that they had issued a permit for a four bedroom house but they had no proposal for a worship facility. They had changed the request for a four rather than a three bedroom house. Since those conversations they have reapplied for a four bedroom residence plus a fifty seat assembly/church/worship area. They have evaluated that and went back yesterday with the proposal. They have increased the amount of the drip emitter system to 850 gallons which is what is required. There is no more chance for contamination than with any other septic system. The redesign of the septic system accommodates the worship center and the house.

Mr. Taylor said at the last meeting the issue was the restroom facilities. The staff recommendation is for conditional approval. The conditions are:

- There shall be no outside amplification
- No site lighting that will glare into adjacent property
- Any expansion of the facility will require an additional special exception

Mr. Taylor said the restroom facilities are part of the code requirement and will have to be provided prior to occupancy. The church cannot be occupied until they have the restroom facilities.

MOTION

Mr. McCallum made a motion to approve Application #06-31S with the following conditions:

1. No outside amplification.
2. Minimal non-intrusive outdoor lighting.
3. Planted buffer in the 25' buffer zone to reduce sound and visibility.
4. Applicant will present some type of noise reduction plan for the facility at the Board of Commissioner's meeting.
5. Any expansion of the facilities or use will require an additional special exception.
6. The septic system will be installed prior to the authorization being given to use this facility as a church.

The motion passed on a second by Mr. Hardwick with Mr. Dryden, Mr. Hardwick and Mr. McCallum voting for the motion and Mr. Cain and Ms. Phinazee voting against.

MINUTES

Mr. Hardwick made a motion, seconded by Ms. Phinazee, to approve the minutes of the December 14, 2006 meeting. The motion passed with Mr. Dryden, Mr. Hardwick, and Ms Phinazee voting for the motion and Mr. Cain and Mr. McCallum abstaining because they were not present.

ADJOURN

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

Keith Dryden - Chairman

Yvonne M. Langford - Recorder