

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**March 27, 2007**

The Spalding County Planning Commission held its regular monthly meeting on March 27, 2007 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Ed Johnson, Chairman, presiding; Janet Bailey; Frank Chastain and David Traer. John Youmans was not present.

Also present were: Charles Taylor, Community Development Director; Chad Jacobs, Senior Planner; Newton Galloway, Attorney; Bruce Ballard, Griffin-Spalding County School System and Yvonne Langford to record the minutes.

Mr. Johnson called the meeting to order, introduced the members of the Planning Commission, and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form. He went over the procedures for handling the business of the meeting.

**Amendment to FLA-07-04:** Reginald and Carol Mangham, Owners – Markland Management, Agent – 163 Calhoun Road – from Agricultural to Low-Density Residential.

Mr. Taylor displayed a copy of the County Future Land Use Map. Most of the area around the proposed site on Calhoun Road is Agricultural and Rural. There are some residential areas that have one-acre lots but most of the residential in the area is three-acre lots. In reviewing the application for the amendment to the Future Land Use Map for this 16-acre tract, it is noted that approval of this application will have a negative impact with respect to density. It would have an adverse effect for the County to deliver services properly. The road frontage is 410 feet and it is 1050 feet deep. The rear lot line is 590 feet. The recommendation is for denial of the amendment.

Greg Corley – 132 Calhoun Road

Mr. Corley said this drive will be directly in front of his driveway. He moved to the location five years ago, because it was a dead end street. There was not much traffic. He has two small children. There are 16 children from his driveway to the stop sign at Rehoboth Church Road that play in the front yards and in their driveways. There is enough traffic on the road presently with the chicken farm at the end of the road with the 18 wheelers and different things. The schools are already over crowded. Futral Road and Spalding High School already have mobile classrooms. It is a bad idea to rezone this land. It should stay the way it is. How will you keep the taxes from going up if they build all these houses in this area? There is not enough water to go around as it is every summer. You have to water even on odd days already.

Sarah Corley – 132 Calhoun Road

Ms. Corley said they have two small children. The cul-de-sac they want to put in is directly in front of their driveway. Her concern is the children. On any given day, there is at least one family member in the neighborhood that is either walking, riding bikes; they are in the road. They are supervised, but they have already had one fatality on the road because of the traffic and speed. On any given day, there are several cars going 60 miles per hour down the dead end road. It would be a danger. She asked that this be denied. It would be better if they sell the property and build one house. If they put 12 houses in this cul-de-sac, that would be an additional 15 to 20 cars in and out of the road every day. The buses are already full on this road.

Dwayne Howard – 55 Calhoun Road

Mr. Howard said he agrees with everyone that has spoken. The people in the neighborhood like where they are. It is quiet. He has been in law enforcement for 18 years and the biggest thing for him personally is the crime rate. There is no crime in this neighborhood. It is quiet and peaceful other than the traffic. The more houses the crime rate is going to go up. He and his wife looked for several years and chose this area because of the school district. It is a small, quiet community. He does not want a bad element. He would have to worry about his children. He likes where he lives.

Lori Howard – 55 Calhoun Road

Ms. Howard said there were a lot more people on the street that would have been present. However, across from where this subdivision would be only three people received a letter regarding this rezoning issue. They live at the end of the street, and they did not get a letter. Normally, when there is a zoning meeting, there is a large white sign put up letting you know when the meeting will be held. There was no sign. If the other neighbors had known about this, they would have been present.

Mr. Johnson advised them that the sign would be put up prior to the Commissioner's meeting.

Mr. Taylor said the policy of the County is to send letters to the adjacent property owners. This is not a zoning change and follows a different procedure.

Roger Hunt – 69 Calhoun Road

Mr. Hunt said he agrees with what the neighbors have already said. It is getting too crowded in this neighborhood. He moved there for peace and quiet and to get out of the City.

Margie Hunt – 69 Calhoun Road

Ms. Hunt said she agrees with everything that has been said. There are more negative things about this than positive. She hates to see this happen.

Milo McGinnis – 121 Calhoun Road

Mr. McGinnis said she has lived here since the 60's. This road was named after his grandfather. This road will be right beside his property.

Joan McGinnis – 121 Calhoun Road

Ms. McGinnis said they own another house at 133 Calhoun Road. This borders her property. There is too much traffic there now. If there was going to be one house, it would be all right. She agrees with what the other neighbors have said.

Steven Mann – 140 Calhoun Road

Mr. Mann said he does not think there is enough known about this project to be passed on to the land and zoning commission. There are 8 tracts shown on the plan, but he wrote 12 on the application. If you get 12 more houses on the street that is about half of what is already on the street, it will almost double the traffic. He has two small children, ages 6 and 4. They stay in the front yard, but if they decide they want to go out in the road, they would. Who is to say who is going to move into the new homes that will be built? He does not want these elements living across the road from him and his children. He does not want this across from his house with people coming and going all night and the light shining in his house. Everybody in the neighborhood is very much against this. More people should have gotten a letter about this.

Chris Bergon – 275 Rehoboth Church Road

Mr. Bergon said his house is on the corner of Calhoun and Rehoboth Church Road. He said he wants to apologize to his neighbors. What has happened here was when Mr. Morrow was on the Board and

they were fighting the subdivision across the street. It is much nicer than what was originally planned and their quality of life has not gone down as far as expected but there are some changes that are negative. During that meeting, he mentioned that if they put small houses in and small lots across the street to look down Calhoun Road where there is a house with a large tract behind it and somebody can “punch” a road in there. Sure enough, look at what is happening. When he was approached about Larson Place across the street from his home, he was told it was going to be this wonderful tree-lined community with street lights. As of tonight, when he left his house, it is not tree-lined and there are no street lights. You do not always get what you are promised. He was also told, after they fought Larson Place and got the larger houses, that they would keep a close eye and make sure something like this did not happen down there; however, Mr. Sabine is gone, and he notices that Mr. Morrow is not on the Board. He wanted to know if that was just “lip service” or is that the truth.

Mark McCullough - 1012 Memorial Drive

Mr. McCullough said the goal is to do another subdivision similar to Larson Place. They will be 1+-acre lots. A lot of the residents present live on one-acre lots. He is aware the area is planned for three-acre lots, but in this general area, the majority of the lots are less than two acres. Larson Place has been a big success, and they expect to do exactly the same thing. The average home price was \$170,000. They are from one-acre to 1.7-acres in size. If this amendment is approved and the zoning is changed, the maximum number of lots would be 12. That is the reason he put 12 on the application. The engineering is not going to work to have 12 lots. There will probably be 8 to 9 lots. The plan is to request zoning to R-4 with a special exception. They want one-acre lots with 25% green space and 1500 SF homes. The homes that have been built in Larson Place have exceeded that. The minimum is 1500 SF with most of them being 1750 to 2000 SF.

Discussion was held regarding the property uses in this area of the County. Mr. Johnson said he noted that there are some large tracts of land in the area that are agricultural. If the use is changed for this tract, it would set a precedent. Mr. Taylor said that each case that is considered is individual in its own way. However, one decision that is made has a higher chance of perpetuating the next decision. The question becomes what rural areas are you going to be able to protect if you connect all the one-acre lots together with more one-acre lot developments?

Mr. Ballard said this would represent 16 potential children for the schools. This is not a large number when compared to a lot of the subdivisions. There are mobile units already at Spalding High. One of the projects for the SPLOST that passed last week is to add classrooms to Spalding High School in a couple of years. There are schools in this district that are in a crowded situation at the moment.

#### **MOTION**

Mr. Chastain made a motion to deny Amendment to FLA-07-04. The motion passed on a second by Mr. Traer with Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion and Ms. Bailey voting against.

Mr. Taylor advised that the Board of Commissioners will consider this application on April 26, 2007 at 6:00 p.m. He advised the residents that if they have comments they need to be present for that meeting.

**Application #07-05Z:** Christopher L. Hill, Owner – 2273 South Walkers Mill Road (1-acre located in Land Lot 9 of the 3<sup>rd</sup> Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.

**Application #07-05AZ:** Nona Garland, Executrix for the Estate of Loree and Clyde Battle, Owners – Christopher L. Hill, Agent – 2317 South Walkers Mill Road (7.29 acres located in Land Lot 9 of the

3<sup>rd</sup> Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.,

**Application #07-05BZ:** Nona Garland, Owner – Christopher L. Hill, Agent – 445 Swint Road (0.593 acres located in Land Lot 9 of the 3<sup>rd</sup> Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-2 Single Family Residential.

These three applications were considered together and voted separately.

Mr. Taylor said the staff recommendation is for approval as requested on these three applications.

Chris Hill – 695 South 6<sup>th</sup> Street Extension

Mr. Hill said this is very straight forward. They want to combine these tracts. They are non-conforming because they were grandfathered. They would have five tracts of larger size and are requesting R-2 zoning for 1750 SF rather than the 1500 SF. Mr. Hill said he is present to answer questions.

**MOTION**

Mr. Johnson made a motion to approve Application #07-05Z. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

**MOTION**

Mr. Johnson made a motion to approve Application #07-05AZ. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

**MOTION**

Mr. Johnson made a motion to approve Application #07-05BZ. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

**S/D #06-01C: Birdie Commercial Center** – Griffin Partners, LLC, Owner – 24.138 acres off U.S. Highway 19 & 41 and Birdie Road located in Land Lot 104 of the 3<sup>rd</sup> land District – 12 lots.

Mr. Taylor said the preliminary plat was reviewed by all departments, and they have recommended approval. Staff wants to recommend some conditions.

The conditions are:

1. Provision of sanitary sewer shall be approved by Spalding County or Georgia Department of Natural Resources authorized water – sewer provider.
2. There is a cul-de-sac street designated on the plat as Carol Circle that is to be changed. Prior to signing the preliminary plat, a new preliminary plat shall be furnished showing this cul-de-sac as Carol Cove.

Discussion was held and the question was raised as to whether or not this is in a flood plain. Mr. Jacobs said it is in the 100-year flood plain and that it is well established. This development is for 12 lots.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said there is a culvert under the highway which became a stream. It is a stream- buffer protection. Under today’s water rules, they lost that. They paid for a soil study, and the engineers used that for the design. The recommended conditions are acceptable.

**MOTION**

Mr. Chastain made a motion, seconded by Mr. Johnson, to approve with the conditions recommended by staff. The motion failed with Mr. Chastain and Mr. Johnson voting for the motion and Ms. Bailey and Mr. Traer voting against.

Mr. Galloway said there is no action, and the application will have to be considered again next month.

**S/D #07-01I: Luke Evans Subdivision** – Luke Evans, Owner – 12 acres off Carver Road and O’Dell Road located in Land Lot 108 of the 2<sup>nd</sup> Land District – 7 lots.

Mr. Taylor said this has been reviewed by the all the appropriate parties and the recommendation is for approval.

**MOTION**

Mr. Chastain made a motion to approve S/D #07-011. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

**Amendment to UDO #A-06-15: Lift from the table** – Appendix K. Landscape and Tree Preservation Ordinance – replace existing Landscape and Tree Preservation Ordinance with a new Landscape and Tree Preservation Ordinance.

**MOTION**

Mr. Chastain made a motion to lift Amendment to UDO #A-06-15 from the table. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

Mr. Taylor said they have made the changes recommended by Mr. Galloway to make the ordinance legal. They have incorporated some definitions and changed some definitions. They have made the changes that were recommended at the last meeting to eliminate the tree list and replace it with a requirement for hardiness for trees in this area. They have also included requirements for the re-development of a site. It was suggested that a list might be created of trees that should not be used. He has included the Bradford Pear and will add any to the list the members would like.

Discussion was held with some changes being recommended.

**MOTION**

Mr. Chastain made a motion to approve Amendment to UDO #A-06-15 with the changes as discussed. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

**Amendment to UDO #A-07-03:** UDO – Article 4, Fees – Section 419:A-F and Section 417:A-C; Appendix A – Article 3. Fees – Section 301:A-E; Appendix J – Article 3.Fees – amend fee schedules.

Mr. Taylor said this change is to take as many of the actual fees from the ordinance to allow the Board of Commissioners to make changes to the fees without having to change the ordinance. Some of the fees will remain in the ordinance. This is also to allow for a fee for the re-submittal of construction plans.

**MOTION**

Mr. Chastain made a motion, seconded by Mr. Traer, to approve Amendment to UDO #A-07-03. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

**Amendment to UDO #A-07-04:** Appendix A – Section 502:Q – upgrade Roadway Classification Standards.

Mr. Taylor said this is an ordinance amendment to the subdivision regulations. Open ditches in subdivisions have essentially been eliminated from most of the zoning requirements including conservation subdivisions. However, there is a detail for a ditch road section left in the regulations. This ordinance eliminates that ditch road section requirement and replaces it with additional street paving requirements. From this time forward, roads in Spalding County, within subdivisions, will have to be curbed and gutter. There will no longer be ditch section roads in new subdivisions. This is to have a lower maintenance on the road system for tax purposes. Additionally, they are finding in some of the larger subdivisions, particularly at the entrance and the cul-de-sacs, the current requirement for paving is not sufficient. The public works department is recommending that the construction requirements be increased. This is being identified as heavy-wear surfaces. The recommendation is for an increase from 6” to 8” in these areas. A 2” binder is recommended to be added along with a tack coat of .20 gallons per square yard and a 1.5” surface topping. That paving standard will make the roads last longer.

Mr. Galloway said he regretted that he forgot this was on the agenda, and he did not discuss some of the questions he had regarding the amendments. Some of the issues were discussed, and it was decided to table until they can review the questions.

**MOTION**

Mr. Chastain made a motion to table UDO #A-07-04 until the next meeting. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

**MINUTES**

Ms. Bailey made a motion to approve the minutes of the February 22, 2007 meeting. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

**ADJOURN**

The meeting was adjourned on a motion by Mr. Chastain and a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Traer voting for the motion.

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Ed Johnson – Chairman

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Yvonne M. Langford - Recorder