

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**May 29, 2007**

The Spalding County Planning Commission held its regular monthly meeting on May 29, 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; David Traer and John Youmans.

Also present were: Charles Taylor, Community Development Director; 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.

**Application #07-08Z:** Daphney Hayes Prewitt, Owner – Jack N. Prewitt, Agent – 3919 North Expressway (.74 acres located in Land Lot 107 of the 3<sup>rd</sup> Land District) – requesting a rezoning from C-1, Highway Commercial, to C-1C, Manufacturing – Light.

Mr. Taylor said this property is currently zoned C-1, and the proposal, by the applicant, is for C-1C zoning in order to allow for a video game warehouse repair business. In reviewing the application, they have found the warehouse operation can be done under the C-1B zoning, and the staff is recommending that zoning. The set-backs required for the zoning change increase, and this building is going to encroach on the set-back. They are recommending that the zoning change be conditioned on the variance being granted. They also recommend a condition that the site lighting be designed so that it does not glare on the adjacent residential areas or onto public streets.

Jack Prewitt – 416 LaPrade Road

Mr. Prewitt said they are proposing no changes to the building. His partner died and his wife wants to sell her interest in the business so they need to move the storage portion to this area. They need an area so they can make small repairs to the equipment. They are not manufacturing equipment or doing anything except making simple repairs. He has no problem with the C-1B zoning as long as he can make the repairs to the equipment. He has no other intended use for the property.

**MOTION**

Ms. Bailey made a motion to approve Application #07-08Z for C-1B zoning conditioned on the variance being granted and that the lighting be designed so that it does not glare on the adjacent residential areas or onto the public streets. The motion passed on a second by Mr. Youmans with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**S/D #06-01: Sun City Peachtree** – Minerva Properties, Owner – 1715.568 acres off Teamon Road and Jordan Hill Road located in Land Lots 184, 185, 186, 187, 199, 200, 217, 218, 231 and 232 of the 3<sup>rd</sup> Land District – 3,389 lots.

Mr. Taylor said this is a revised preliminary plat which was necessary because some of the golf holes have been altered and some of the streets have been slightly moved, some of the lot widths have changed and they have reduced the number of townhouse lots. The overall residential count remains at 3,389. The ordinance requires that final plats and preliminary plats completely agree and therefore, even though the changes are very minor, approval is required. The plat has been reviewed by all departments, and the recommendation is for approval. There have been some areas that encroach into S-2 buffers which are the sensitive environmental buffers that were cleared and graded. They are working with Minerva to go for a State approved variance for the State water buffer encroachments. They will also have to address the Spalding County S-2 buffer encroachments. Re-planting of the buffers is already in process. It needs to be noted but it does not affect approval of the plat. They were clearing a lot of land at a very rapid rate which probably contributed to the encroachment. They are following the re-planting requirements of the watershed protection ordinance.

Mr. Galloway said the buffer requirement is that it be undisturbed. If they disturb it, they have to re-plant by definition. They are out of compliance and have to have approval for the re-plantings. Monthly meetings have been scheduled with Minerva and Del Webb in anticipation of plating and grading issues. The first meeting was in May, and it was a fairly detailed meeting due to the speed at which things are developing coupled with the number of significant issues that have arisen.

Mr. Taylor said the original plat had a small area designated as commercial which has been removed in anticipation of it being a part of the Village Node in the area.

Mr. Galloway said there will be no commercial area in Sun City Peachtree.

## **MOTION**

Mr. Youmans made a motion to approve S/D #06-01 with a note that the stream buffer restoration plan as submitted and approved by the staff is noted on the plat. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**Amendment to UDO #A-07-05:** Article 11A. R-6 Planned Residential Community District – replace existing R-6 Planned Residential Community District with new R-6 Planned Residential Community District.

Mr. Galloway said the R-6 zoning classification was adopted some years ago, and it was a single-family district with a 2000 SF minimum. Five or six years ago it was changed to a planned residential district designed for townhouses and cluster homes. There has been very little R-6 use. Mr. McDaniel requested that R-6 be amended due to concerns regarding the aesthetics of the development. This amendment is a result of that request. He reviewed the changes that have been incorporated in this revision. They are researching federal law to see if they can restrict rental units from this classification. He

noted that if this is approved, it should be with the proviso that if rental units can be restricted, it will be added before it goes to the Board of Commissioners next month.

Discussion was held regarding the changes represented by this ordinance. It was noted that there were no requirements for underground utilities that the Commission wanted included. Discussion was held regarding the requirement for sodden yards and that it had been deleted from the ordinance. It was thought that the landscaping ordinance would be sufficient to cover the requirements. It was decided that the requirement for sod would be required.

**MOTION**

Mr. Youmans made a motion to approve Amendment to UDO #A-07-05 with the understanding that if it proves to be legal for the County, it will restrict the property from being rental, underground utilities will be added, and it be consistent regarding the requirement for sod. The motion passed on second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**Amendment to UDO #A-07-06:** Article 14. C-1B Heavy Commercial – Section 1404:B (1) and Article 14A. C-1C Manufacturing-Light – Section 1404A:B(1) – amend unsewered areas.

Mr. Taylor said there have been re-zonings for property from one commercial district to another and the lot size requirement increase in the new zoning district is causing problems. There is no reason for the commercial lot sizes to be inconsistent. The recommendation is that for C-1B and C-1C the minimum lot size be determined by the health department for unsewered areas. This change will make it more consistent with the other commercial districts.

**MOTION**

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

**Amendment to UDO #A-07-07:** Article 5. AR-1 Agricultural and Residential – Section 503:A(8) and Article 11. R-5 Single Family Residential – Section 1103:A(8) – amend permitted uses to allow Class A Manufactured Home by right when replacing an existing manufactured home.

Mr. Taylor said there has been a lot of discussion by the County Commissioners regarding this situation. It has been noted that when someone is replacing an old manufactured home with a new manufactured a long process is involved with the result being that it is almost always approved. Rather than having a long process that accomplished virtually nothing, the staff is recommending that it be allowed by right as long as the home meets the Class A mobile home standard.

Mr. Chastain wondered if this might encourage people to purchase a new manufactured home rather than build a stick built home. He also wondered if this should require a new manufactured home if they can replace it by right.

Mr. Youmans said he has had an opportunity to visit sites when people were asking to replace older manufactured homes and you could not help but applaud their efforts to improve their situation. This will help streamline the process.

**MOTION**

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

**Amendment to UDO #A-07-08:** Appendix A. Subdivision Ordinance – Section 410:C land Section 506 – amend surety for maintenance, repair and for completion of improvements.

Mr. Taylor said the County Attorney, Jim Fortune, made a few changes since the copy was furnished to the Commission Members. The changes were mostly dealing with separating of the due date of the ordinance to make the language clearer regarding the bond due date versus the actual bond time coverage period. Members were furnished copies with the changes incorporated. Mr. Taylor and Mr. Galloway went over the bond requirements and the changes proposed by this amendment.

**MOTION**

Mr. Chastain made a motion to approve Amendment to UDO #A-07-08. The motion passed on a second by Mr. Youmans with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**MINUTES**

Ms. Bailey made a motion to approve the minutes of the April 24, 2007 meeting. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**ADJOURN**

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

---

Ed Johnson – Chairman

---

Yvonne M. Langford - Recorder